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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MARISOL OLIVERA GONZALEZ,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 10-70292

Agency No. A075-754-468

MEMORANDUM\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted July 17, 2012\*\*

Before: SCHROEDER, THOMAS, and SILVERMAN, Circuit Judges.

Marisol Olivera Gonzalez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ (“BIA”) order denying her motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen, and review de novo questions of law.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

*Granados-Oseguera v. Mukasey*, 546 F.3d 1011, 1014 (9th Cir. 2008) (per curiam). We deny the petition for review.

The BIA properly denied Olivera Gonzalez's motion to reopen where the motion was filed after her voluntary departure period expired, and Olivera Gonzalez failed to establish that, through no fault of her own, she was unaware of the voluntary departure order. *See* 8 U.S.C. § 1229c(d)(1)(B) (imposing a ten-year bar to certain forms of relief, including cancellation of removal, for aliens who fail to voluntarily depart within the time period specified); *cf. Singh v. Holder*, 658 F.3d 879, 887-88 (9th Cir. 2011) (ten-year bar might not apply to petitioner who failed to depart, where petitioner did not receive a copy of the BIA's decision and order of voluntary departure, and representative failed to notify petitioner of the BIA's decision).

**PETITION FOR REVIEW DENIED.**