

JUL 25 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>NORMA RICO RANGEL,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

Nos. 09-72009
10-70264

Agency No. A095-306-440

MEMORANDUM*

On Petitions for Review of Orders of the
Board of Immigration Appeals

Submitted July 17, 2012**

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

In these consolidated petitions for review, Norma Rico Rangel, native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ (“BIA”) orders denying her motions to reopen and reconsider. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of

* 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).

a motion to reopen or reconsider, and review de novo due process claims.

Iturribarria v. INS, 321 F.3d 889, 894 (9th Cir. 2003). We deny the petition for review in No. 10-70264, and dismiss the petition for review in No. 09-72009.

The BIA did not abuse its discretion in denying Rico Rangel's motion to reconsider for failure to establish prejudice from the alleged ineffective assistance of her former counsel. *See id.* at 899 (requiring prejudice to prevail in a due process claim).

In light of our disposition, we dismiss the petition for review concerning the underlying motion to reopen as moot.

In No. 09-72009: PETITION FOR REVIEW DISMISSED.

In No. 10-70264: PETITION FOR REVIEW DENIED.