

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

SEP 17 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

VENTJE NELWAN,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-71894

Agency No. A078-020-324

MEMORANDUM*

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

Submitted September 10, 2012**

Before: WARDLAW, CLIFTON, and N.R. SMITH, Circuit Judges.

Ventje Nelwan, a native and citizen of Indonesia, petitions for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reconsider.

We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the

* 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).

denial of motions to reconsider, *Ghahremani v. Gonzales*, 498 F.3d 993, 997 (9th Cir. 2007), and we deny the petition for review.

The BIA did not abuse its discretion in denying Nelwan’s motion where it concluded Nelwan failed to show sufficient individualized risk, even under a disfavored group analysis, to meet the more likely than not standard for withholding of removal. *See Wakkary v. Holder*, 558 F.3d 1049, 1065-66 (9th Cir. 2009) (“[a]n applicant for withholding of removal will need to adduce a considerably larger quantum of individualized-risk evidence to prevail”).

Further, the BIA did not abuse its discretion in declining to reconsider its prior order in light of *Mufied v. Mukasey*, 508 F.3d 88 (2nd Cir. 2007).

PETITION FOR REVIEW DENIED.