

OCT 15 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MARIA J. BARAJAS,</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>
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Nos. 09-72642  
10-71263

Agency No. A077-772-829

MEMORANDUM\*

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

Submitted October 9, 2012\*\*

Before: RAWLINSON, MURGUIA, and WATFORD, Circuit Judges.

In these consolidated petitions for review, Maria J. Barajas petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing her appeal from an immigration judge’s (“IJ”) removal order, and the BIA’s order denying her

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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).

motion to reconsider. Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss the petitions for review.

We lack jurisdiction to review the agency's discretionary determination that Barajas failed to show exceptional and extremely unusual hardship to her qualifying relatives, and Barajas does not raise a colorable due process claim challenging this hardship determination. *See Mendez-Castro v. Mukasey*, 552 F.3d 975, 978 (9th Cir. 2009).

We also lack jurisdiction to review the BIA's denial of Barajas' motion to reconsider the BIA's discretionary hardship determination, and Barajas does not raise a colorable due process claim challenging the BIA's denial. *See Vilchiz-Soto v. Holder*, 688 F.3d 642, 644 (9th Cir. 2012) (“[T]he BIA's denial of the motion to reconsider falls outside the court's jurisdiction because the court cannot reconsider the discretionary, fact-based determination that petitioners failed to demonstrate the requisite hardship.”).

Barajas' remaining contentions are unavailing.

**PETITIONS FOR REVIEW DISMISSED.**