

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JAN 23 2013

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

FRANCISCA AGUILAR ROCHA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-73813

Agency No. A078-638-837

MEMORANDUM*

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

Submitted January 18, 2013**
San Francisco, California

Before: WALLACE, FARRIS, and BYBEE, Circuit Judges.

Rocha petitions for review of the Board of Immigration Appeals's denial of her motion to reopen. We have jurisdiction under 8 U.S.C. § 1252(b) and we deny the petition.

* 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).

The Board did not abuse its discretion because it gave a reasoned basis for its decision by stating correctly that Rocha had submitted no evidence showing that she had a well-founded fear of persecution or that she faces a clear probability of torture. *See Konstantinova v. I.N.S.*, 195 F.3d 528, 529 (9th Cir. 1999).

PETITION DENIED.