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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>AMIR KARIM EDDIN,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 09-71350

Agency No. A078-000-941

MEMORANDUM*

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

Submitted February 11, 2013**

Before: FERNANDEZ, TASHIMA, and WARDLAW, Circuit Judges.

Amir Karim Eddin, a native and citizen of Syria, petitions for review of the Board of Immigration Appeals’ (“BIA”) order denying his motion to reopen. 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).

BIA's denial of a motion to reopen. *Guzman v. INS*, 318 F.3d 911, 912 n.1 (9th Cir. 2003) (per curiam). We deny the petition for review.

Eddin contends the BIA erred in denying his motion to reopen to file for asylum based on his rejection of Islam and conversion to Christianity. The BIA acted within its broad discretion in determining Eddin failed to submit evidence showing that the Syrian government either would persecute him on account of his apostasy or conversion or be unable or unwilling to protect him. *See INS v. Abudu*, 485 U.S. 94, 104 (1988) (the BIA may deny a motion to reopen for failure to establish a prima facie case for the underlying relief sought). Accordingly, Eddin's motion to reopen fails.

PETITION FOR REVIEW DENIED.