

APR 22 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SHIRLEY INGRID PATRICIA
TURANGAN,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-71967

Agency No. A095-875-537

MEMORANDUM*

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

Submitted April 16, 2013**

Before: CANBY, IKUTA, and WATFORD, Circuit Judges.

Shirley Ingrid Patricia Turangan, a native and citizen of Indonesia, petitions for review of the Board of Immigration Appeals' ("BIA") order denying her motion to reconsider and to reopen removal proceedings. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for an abuse of discretion the BIA's

* 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 or reopen. *Cano-Merida v. INS*, 311 F.3d 960, 964 (9th Cir. 2002). We dismiss in part and deny in part the petition for review.

The BIA did not abuse its discretion in denying Turangan's motion to reconsider where Turangan did not point to any error of law or fact in the BIA's underlying decision. *See* 8 C.F.R. § 1003.2(b)(1).

Finally, with respect to the BIA's denial of her motion to reopen, Turangan does not challenge the BIA's conclusion that she failed to show her religious studies established a prima facie case that it is more likely than not she would face persecution in Indonesia. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues not supported by argument are deemed waived).

We lack jurisdiction to review any challenge made to the BIA's October 20, 2010, Order because the petition is not timely as to that decision. *See* 8 U.S.C. § 1252(b)(1); *Singh v. INS*, 315 F.3d 1186, 1188 (9th Cir. 2003).

PETITION FOR REVIEW DISMISSED in part; DENIED in part.