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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JOSE LUIS CORREA RODRIGUEZ and FIDELA MARIA MARTINEZ,</p> <p style="text-align: center;">Petitioners,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 11-72506

Agency Nos. A097-361-223
A097-361-224

MEMORANDUM*

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

Submitted May 14, 2013**

Before: LEAVY, THOMAS, and MURGUIA, Circuit Judges.

Jose Luis Correa Rodriguez and Fidela Maria Martinez, natives and citizens of Mexico, petition for review of the Board of Immigration Appeals’ (“BIA”) order denying their motion to reopen removal proceedings. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the BIA’s denial of a motion to

* 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).

reopen, *Toufighi v. Mukasey*, 538 F.3d 988, 992 (9th Cir. 2008), and we deny the petition for review.

The BIA did not abuse its discretion in denying petitioners' third motion to reopen as untimely and number-barred, where the motion was filed more than five years after the final order of removal, *see* 8 C.F.R. § 1003.2(c)(2), and petitioners failed to establish prima facie eligibility for asylum, withholding of removal, or relief under the Convention Against Torture to qualify for an exception to the filing limitations based on changed country conditions, *see* 8 C.F.R. § 1003.2(c)(3)(ii); *Toufighi*, 538 F.3d at 996.

Contrary to petitioners' contention, the BIA's decision was adequate. *See Najmabadi v. Holder*, 597 F.3d 983, 990 (9th Cir. 2010) (the BIA need not "write an exegesis on every contention") (internal quotations and citation omitted).

Petitioners' remaining contentions are unavailing.

PETITION FOR REVIEW DENIED.