

MAY 20 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>CESIA YAMILETH BERMUDEZ-MENDOZA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 10-70218

Agency No. A096-216-479

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.

Cesia Yamileth Bermudez-Mendoza, a native and citizen of El Salvador, petitions pro se for review of the Board of Immigration Appeals’ (“BIA”) order dismissing her appeal from an immigration judge’s (“IJ”) denial of her 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. We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition for review.

In her opening brief, Bermudez-Mendoza fails to address, and therefore has waived, any challenge to the BIA's determination that the IJ lacked jurisdiction to reopen her proceedings. *See Rizk v. Holder*, 629 F.3d 1083, 1091 n.3 (9th Cir. 2011) (issues not raised in the opening brief may be deemed waived). Because the issue of the IJ's jurisdiction is dispositive, we need not reach the contentions Bermudez-Mendoza raises in her opening brief regarding eligibility for asylum.

PETITION FOR REVIEW DENIED.