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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MELITON CERVANTES SALAZAR,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 10-70406

Agency No. A074-793-101

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.

Meliton Cervantes Salazar, a native and citizen of Mexico, petitions pro se 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

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\* 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).

abuse of discretion the BIA's denial of a motion to reopen. *Cano-Merida v. INS*, 311 F.3d 960, 964 (9th Cir. 2002). We deny the petition for review.

The BIA did not abuse its discretion by denying Cervantes Salazar's motion as untimely, where he filed the motion over two years after the BIA's final order, *see* 8 C.F.R. § 1003.2(c)(2), and he failed to demonstrate changed conditions in Mexico material to his claims in order to warrant an exception to the deadline, *see Najmabadi v. Holder*, 597 F.3d 983, 990 (9th Cir. 2010) (holding that a petitioner cannot reopen based on changed country conditions by relying on evidence that simply recounts generalized country conditions without demonstrating that his or her predicament is appreciably different from the dangers faced by fellow citizens). In light of our disposition, we do not reach Cervantes Salazar's remaining contentions regarding his prima facie eligibility for relief.

**PETITION FOR REVIEW DENIED.**