

MAY 22 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>HENDARSIN JAHJA; THIO PIE TJIAUW,</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>
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No. 12-70439

Agency Nos.       A099-713-142  
                              A099-713-143

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.

Hendarsin Jahja and Thio Pie Tjiauw, natives and citizens of Indonesia,  
petition for review of the Board of Immigration Appeals’ (“BIA”) order denying

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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).

their motion to reconsider. Our jurisdiction is governed by 8 U.S.C. § 1252. We deny in part and dismiss in part the petition for review.

In their opening brief, petitioners fail to address, and therefore have waived, any challenge to the BIA's order denying their motion to reconsider. *See Lopez-Vasquez v. Holder*, 706 F.3d 1072, 1079-80 (9th Cir. 2013). Moreover, the BIA did not abuse its discretion in denying petitioners' motion to reconsider where the motion failed to identify any error of fact or law in the BIA's prior decision dismissing petitioners' appeal. *See* 8 C.F.R. § 1003.2(b)(1); *Socop-Gonzalez v. INS*, 272 F.3d 1176, 1180 n.2 (9th Cir. 2001) (en banc).

We lack jurisdiction to review any challenge to the BIA's prior order dismissing petitioners' appeal because the petition for review is not timely as to that order. *See* 8 U.S.C. § 1252(b)(1); *Singh v. INS*, 315 F.3d 1186, 1188 (9th Cir. 2003).

**PETITION FOR REVIEW DENIED in part; DISMISSED in part.**