

AUG 16 2013

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LORENZO LOPEZ JAUREGUI,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-72070

Agency No. A034-210-672

MEMORANDUM*

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

Submitted August 14, 2013**

Before: SCHROEDER, GRABER, and PAEZ, Circuit Judges.

Lorenzo Lopez Jauregui, a native and citizen of Mexico, petitions for review of an order of the Board of Immigration Appeals (“BIA”) denying his motion to reopen. We dismiss the petition for review.

* 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).

We lack jurisdiction to review the BIA’s denial of Lopez Jauregui’s motion to reopen to reapply for cancellation of removal, where the BIA concluded that the new evidence accompanying his motion was insufficient to overcome its previous denial of cancellation of removal in the exercise of discretion. *See Fernandez v. Gonzales*, 439 F.3d 592, 601 (9th Cir. 2006) (“If . . . the BIA determines that a motion to reopen proceedings in which there has already been an unreviewable discretionary determination . . . does not make out a prima facie case for that relief, § 1252(a)(2)(B)(i) precludes our visiting the merits . . .”).

Lopez Jauregui’s contentions that the BIA failed to state its reasons for finding no evidence of genuine rehabilitation, failed to consider or to properly weigh all of the evidence, and failed to accept his declaration as true are not sufficiently colorable questions of law to trigger our jurisdiction. *See Mendez-Castro v. Mukasey*, 552 F.3d 975, 978 (9th Cir. 2009) (“To be colorable in this context, the [question of law] need not be substantial, but the claim must have some possible validity.” (citation omitted)).

PETITION FOR REVIEW DISMISSED.