

AUG 19 2013

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOSE MARIA MEJIA-MORA, a.k.a.
Oscar Garcia-Vargas,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 12-70107

Agency No. A091-996-085

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.

Jose Maria Mejia-Mora, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen removal proceedings. We have jurisdiction under 8 U.S.C. § 1252. We

* 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).

review for abuse of discretion the BIA's denial of a motion to reopen, *Garcia v. Holder*, 621 F.3d 906, 912 (9th Cir. 2010), and we deny the petition for review.

Mejia-Mora filed a timely motion to reopen with new, previously unavailable, evidence of hardship to his United States citizen daughter to support his application for cancellation of removal. The BIA did not abuse its discretion in denying Mejia-Mora's motion to reopen on the ground that the new evidence of his daughter's diagnosis with Bell's palsy was insufficient to establish prima facie eligibility for cancellation of removal. *See id.* at 912-913.

PETITION FOR REVIEW DENIED.