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FEB 24 2014

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U.S. COURT OF APPEALS

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROSA ISELA CORTEZ-RODRIGUEZ, Petitioner, v. ERIC H. HOLDER, Jr., Attorney General, Respondent.	No. 12-73272 Agency No. A070-784-408 MEMORANDUM*

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

Submitted February 18, 2014**

Before: ALARCÓN, O'SCANNLAIN, and FERNANDEZ, Circuit Judges.

Rosa Isela Cortez-Rodriguez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's denial of her motion to reopen deportation proceedings held in absentia. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of

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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).

discretion the denial of a motion to reopen. *Chete Juarez v. Ashcroft*, 376 F.3d 944, 947 (9th Cir. 2004). We deny the petition for review.

The agency did not abuse its discretion in denying Cortez-Rodriguez's motion to reopen for failure to show lack of notice where the government demonstrated proper service of the Order to Show Cause ("OSC") and the Notice of Hearing. *See* 8 U.S.C. § 1252b(a)(1), (a)(2)(A), (c)(1) (repealed 1996); *see also Chaidez v. Gonzales*, 486 F.3d 1079, 1085 (9th Cir. 2007) ("For OSCs, service was proper only if the INS established that the return receipt was signed by the alien or a responsible person at the alien's address."); *Arrieta v. INS*, 117 F.3d 429, 431 (9th Cir. 1997) (per curiam) ("[N]otice [of hearing] by certified mail sent to an alien's last known address can be sufficient under the Act, even if no one signed for it.").

Cortez-Rodriguez's remaining contentions are unsupported by the record.

PETITION FOR REVIEW DENIED.