

FEB 24 2014

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>SALVADOR AGUILAR VENCES and MARIA ESTHER AGUILAR LARA,</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>
--

No. 12-73926

Agency Nos.       A079-537-361  
                              A070-950-121

MEMORANDUM\*

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

Submitted February 18, 2014\*\*

Before:       ALARCÓN, O’SANNLAIN, and FERNANDEZ, Circuit Judges.

Salvador Aguilar Vences and Maria Esther Aguilar Lara, natives and citizens of Mexico, petition for review of the Board of Immigration Appeals’ (“BIA”) order denying their motion to reopen alleging ineffective assistance of counsel. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of

---

\* 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. *Iturribarria v. INS*, 321 F.3d 889, 894 (9th Cir. 2003). We deny the petition for review.

The BIA did not abuse its discretion by denying petitioners' motion to reopen where they failed to establish prejudice from the alleged ineffective assistance. *See id.* at 901-03; *Ortiz v. INS*, 179 F.3d 1148, 1153-54 (9th Cir. 1999) (no prejudice where petitioners failed to describe the evidence that counsel incompetently failed to introduce).

**PETITION FOR REVIEW DENIED.**