

JUN 29 2015

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MELVIN ROBERTO PALMA
SANDOVAL,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 12-71022

Agency No. A096-353-209

MEMORANDUM*

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

Submitted June 22, 2015**

Before: HAWKINS, GRABER, and W. FLETCHER, Circuit Judges.

Melvin Roberto Palma Sandoval, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' ("BIA") denial of his motion to reopen removal proceedings. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen.

* 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).

Najmabadi v. Holder, 597 F.3d 983, 986 (9th Cir. 2010). We deny the petition for review.

The BIA did not abuse its discretion in denying Palma Sandoval’s untimely motion to reopen, *see* 8 C.F.R. § 1003.2(c)(2), because it considered the record and acted within its broad discretion in determining that the evidence was insufficient to demonstrate prima facie eligibility for the relief sought, *see Najmabadi*, 597 F.3d at 986 (BIA may deny a motion to reopen based on failure to show prima facie eligibility for the relief sought); *see also Zetino v. Holder*, 622 F.3d 1007, 1016 (9th Cir. 2010) (petitioner’s “desire to be free from harassment by criminals motivated by theft or random violence by gang members bears no nexus to a protected ground”). We reject Palma Sandoval’s contention that the BIA did not give full and fair consideration to the evidence. *See Najmabadi*, 597 F.3d at 990-91. In light of these conclusions, we reject Palma Sandoval’s contention that remand is required under *Perdomo v. Holder*, 611 F.3d 662 (9th Cir. 2010).

PETITION FOR REVIEW DENIED.