

DEC 16 2015

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SARYANA JUNIWATY,

Petitioner,

v.

LORETTA E. LYNCH,

Respondent.

No. 13-71775

A099-403-111

MEMORANDUM*

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

Submitted December 9, 2015**

Before: WALLACE, RAWLINSON, and IKUTA, Circuit Judges.

Saryana Juniway, a native and citizen of Indonesia, seeks review of the Board of Immigration Appeals' ("BIA") denial of her motion to reopen removal proceedings. 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 Ninth Circuit Rule 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. *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 Juniwati's untimely motion to reopen where she filed it more than 90 days after the final order of removal, *see* 8 C.F.R. § 1003.2(c)(2), and failed to establish materially changed circumstances in Indonesia to qualify for an exception to the time limitations for a motion to reopen, *see* 8 C.F.R. § 1003.2(c)(3)(ii); *see also* *Najmabadi*, 597 F.3d at 989–90 (evidence must be “qualitatively different” to warrant reopening).

PETITION FOR REVIEW DENIED.