

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 23 2016

FOR THE NINTH CIRCUIT

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

AHMED MOUNADDIF,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

Nos. 11-72083
11-72813

Agency No. A029-120-830

MEMORANDUM*

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

Submitted March 15, 2016**

Before: GOODWIN, LEAVY, and CHRISTEN, Circuit Judges.

In these consolidated petitions for review, Ahmed Mounaddif, a native and citizen of Morocco, petitions pro se for review of the Board of Immigration Appeals' ("BIA") denial of his motion to reopen removal proceedings (petition No. 11-72083), and its denial of his subsequent motion to reconsider and motion to

* 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).

reopen (petition No. 11-72813). We have jurisdiction under 8 U.S.C. § 1252.

We review for abuse of discretion the BIA's denial of motions to reopen and motions to reconsider. *Cano-Merida v. INS*, 311 F.3d 960, 964 (9th Cir. 2002).

We deny the petitions for review.

We do not consider the materials Mounaddif references in his reply brief that are not part of the administrative record. *See Fisher v. INS*, 79 F.3d 955, 963-64 (9th Cir. 1996) (en banc).

As to petition No. 11-72083, the BIA did not abuse its discretion in denying Mounaddif's motion to reopen where he filed it more than three years after the BIA's final decision, *see* 8 C.F.R. § 1003.2(c)(2), and did not establish *prima facie* eligibility for relief, *see Toufighi v. Mukasey*, 538 F.3d 988, 996 (9th Cir. 2008).

As to petition No. 11-72813, the BIA did not abuse its discretion in denying Mounaddif's subsequent motion to reconsider and motion to reopen. *See id.* (motion to reconsider must specify errors of fact or law in the prior BIA decision); *see also Najmabadi v. Holder*, 597 F.3d 983, 986 (9th Cir. 2010) (no abuse of discretion unless the BIA "acted arbitrarily, irrationally, or contrary to law"). We reject Mounaddif's contentions that the BIA improperly discounted his evidence, *see Maroufi v. INS*, 772 F.2d 597, 599-600 (9th Cir. 1985), ignored his arguments

or explanations, or failed to adequately review the evidence, *see Najmabadi*, 597

F.3d at 990-91 (BIA adequately considered evidence and sufficiently announced its decision). Thus, we deny the petition for review in No. 11-72813.

PETITIONS FOR REVIEW DENIED.