

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

APR 18 2016

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

JOAQUIN LEDESMA-CONCHAS,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 11-73701

Agency No. A075-879-554

MEMORANDUM*

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

Submitted April 13, 2016**

Before: FARRIS, TALLMAN, and BYBEE, Circuit Judges.

Joaquin Ledesma-Conchas, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his motion to reopen removal

* 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).

proceedings conducted in absentia based on ineffective assistance of counsel and changed country conditions. We dismiss the petition for review.

We lack jurisdiction to consider Ledesma-Conchas' contentions that he acted with the due diligence required for equitable tolling of the motion to reopen filing deadline, and established prima facie eligibility for relief based on changed country conditions, because Ledesma-Conchas did not raise these contentions in his brief to the BIA. *See* 8 U.S.C. § 1252(d)(1); *Zara v. Ashcroft*, 383 F.3d 927, 930 (9th Cir. 2004) (“A petitioner cannot satisfy the exhaustion requirement by making a general challenge to the IJ’s decision, but, rather, must specify which issues form the basis of the appeal.”).

We also lack jurisdiction to review the BIA’s decision not to reopen sua sponte. *See Mejia-Hernandez v. Holder*, 633 F.3d 818, 823-24 (9th Cir. 2011).

PETITION FOR REVIEW DISMISSED.