

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 23 2017

FOR THE NINTH CIRCUIT

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

BACHITAR SINGH; et al.,

No. 13-70690

Petitioners,

Agency Nos. A098-846-956

v.

A098-846-957

JEFFERSON B. SESSIONS III, Attorney
General,

A098-846-958

A098-846-959

Respondent.

MEMORANDUM *

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

Submitted February 14, 2017**

Before: GOODWIN, FARRIS, and FERNANDEZ, Circuit Judges.

Bachitar Singh and his family, natives and citizens of India, petition for review of the Board of Immigration Appeals' ("BIA") order denying their motion to reopen removal proceedings. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the BIA's denial of a motion to reopen, *Najmabadi*

* 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).

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

The BIA did not abuse its discretion in denying petitioners' untimely motion to reopen because Singh failed to establish materially changed circumstances in India to qualify for the regulatory exception to the time limitation imposed on motions to reopen. *See* 8 C.F.R. § 1003.2(c)(3)(ii); *Najmabadi*, 597 F.3d at 987-90 (evidence must be "qualitatively different" to warrant reopening). We reject Singh's contentions that the BIA failed to consider facts or conduct a sufficient analysis.

PETITION FOR REVIEW DENIED.