

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 16 2017

FOR THE NINTH CIRCUIT

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

ROGER AGUILAR,

No. 15-71033

Petitioner,

Agency No. A071-913-590

v.

MEMORANDUM \*

JEFFERSON B. SESSIONS III, Attorney  
General,

Respondent.

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

Submitted March 8, 2017\*\*

Before: LEAVY, W. FLETCHER, and OWENS, Circuit Judges.

Roger Aguilar, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen removal proceedings and reissue its decision denying his appeal from an immigration judge's final order of removal. We have jurisdiction under 8 U.S.C.

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\* 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).

§ 1252. We review for abuse of discretion the denial of a motion to reopen.

*Hernandez-Velasquez v. Holder*, 611 F.3d 1073, 1077 (9th Cir. 2010). We deny the petition for review.

The BIA did not abuse its discretion in declining to reissue its August 2014 decision, where Aguilar acknowledged in his declaration that he received notice of the decision and he does not allege ineffective assistance of counsel. *See Singh v. Napolitano*, 649 F.3d 899, 901 (9th Cir. 2010) (the BIA has reissued decisions where an alien has shown lack of notice due to administrative error or ineffective assistance of counsel).

**PETITION FOR REVIEW DENIED.**