NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN JOSE ANTONIO LOPEZ-LOPEZ, Petitioner, v. ERIC H. HOLDER Jr., Attorney General, Respondent.	No. 07-71377 Agency No. A072-992-899 MEMORANDUM [*]

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

Submitted November 17, 2009[**]

Before: ALARCÓN, TROTT, and TASHIMA, Circuit Judges.

Juan Jose Antonio Lopez-Lopez, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") order denying his motion to reopen

[*] This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

[**] The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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deportation proceedings conducted in absentia. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen, *Iturribarria v. INS*, 321 F.3d 889, 894 (9th Cir. 2003), and we review de novo due process claims, *Ram v. INS*, 243 F.3d 510, 516 (9th Cir. 2001). We deny the petition for review.

The record indicates that Lopez-Lopez received the Order to Show Cause informing him that he must provide the immigration court with written notice of his change of address, *see* 8 C.F.R. § 3.15(c) (1994), and that the hearing notice was sent by certified mail to the address he last provided. Accordingly, the IJ did not abuse her discretion in denying Lopez-Lopez's motion to reopen even though the hearing notice was returned to the immigration court. *See* 8 U.S.C. § 1252b(c)(1) (1995) (written notice is sufficient if sent to the most recent address provided by alien); *see also In re Grijalva*, 21 I. & N. Dec. 27, 32-34 (BIA 1995) (proof of actual service or receipt of the notice by the respondent is not required).

Due process was satisfied because "[t]he method of service was reasonably calculated to ensure that notice reached [Lopez-Lopez]." *See Farhoud v. INS*, 122 F.3d 794, 796 (9th Cir. 1997).

PETITION FOR REVIEW DENIED.