

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 22 2018

FOR THE NINTH CIRCUIT

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

LUIS ALFREDO PARRA MALDONADO,
AKA Luis Alfredo Parra, AKA Luis A.
Parra,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 17-73054

Agency No. A205-311-796

MEMORANDUM*

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

Submitted August 15, 2018**

Before: FARRIS, BYBEE, and N.R. SMITH, Circuit Judges.

Luis Alfredo Parra Maldonado, a native and citizen of Ecuador, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen removal proceedings. We have jurisdiction under 8

* 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).

U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen. *Najmabadi v. Holder*, 597 F.3d 983, 986 (9th Cir. 2010). We deny the petition for review.

The BIA did not abuse its discretion in denying Parra Maldonado’s motion to reopen based on new evidence because Parra Maldonado failed to establish the evidence was not previously available or could have been discovered at the former hearing. *See* 8 C.F.R. § 1003.2(c)(1); *see also* *Goel v. Gonzales*, 490 F.3d 735, 738 (9th Cir. 2007) (holding that, if “the allegedly new information . . . was available or capable of being discovered at [the time of the hearing], it cannot provide a basis for reopening”).

Parra Maldonado’s motion to hold his petition for review in abeyance is denied.

PETITION FOR REVIEW DENIED.