FILED

UNITED STATES COURT OF APPEALS

FEB 17 2026

FOR THE NINTH CIRCUIT

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

CITLALLI BERENICE SANCHEZ
ESCOBAR,

No. 19-71421

Agency No. A096-349-930

Petitioner,

v.

MEMORANDUM*

PAMELA BONDI, Attorney General,

Respondent.

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

Submitted February 12, 2026**
Pasadena, California

Before: TALLMAN, VANDYKE, and TUNG, Circuit Judges.

Citlalli Berenice Sanchez Escobar, a citizen and native of Mexico, petitions

for review of the Board of Immigration Appeals' (BIA) denial of her motion to

reopen as untimely. We have jurisdiction under 8 U.S.C. § 1252. We review the

BIA's denial of a motion to reopen for abuse of discretion, *Bonilla v. Lynch*, 840

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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).

F.3d 575, 581 (9th Cir. 2016), and we deny the petition.

We assume without deciding that Sanchez Escobar was ignorant of her original counsel's shortcomings until she received her full case file and reviewed it with current counsel. *See id.* at 582 (setting forth factors to consider). However, she did nothing to pursue immigration relief after being approved for deferred action in 2012 until she retained current counsel in 2017 to assist her in filing an I-130 petition based on her marriage to a United States citizen—whom she married in 2010. Neither the record nor the briefs explain this five-year lapse in her efforts to secure immigration relief. Accordingly, she did not "make reasonable efforts to pursue relief" during the period from 2012 to 2017 "and so did not demonstrate the diligence necessary for equitable tolling." *Id.* at 583 (citation modified) (finding equitable tolling not warranted when petitioner waited six years to pursue immigration relief, purportedly on advice of counsel).

PETITION DENIED.