NOT FOR PUBLICATION

FILED

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIA JUAN JUAN, Petitioner, v. TODD BLANCHE, Acting Attorney General, Respondent.	No. 24-5143 Agency No. A208-195-155 MEMORANDUM[*]

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

Submitted June 23, 2026[**]
Pasadena, California

Before: WARDLAW, OWENS, and DE ALBA, Circuit Judges.

Maria Juan Juan, a native and citizen of Guatemala, seeks review of a Board of Immigration Appeals' ("BIA") decision denying her motion to reopen removal proceedings to obtain discretionary relief. We have jurisdiction pursuant to 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 also have limited jurisdiction to review the BIA's discretionary decision to decline exercising its sua sponte authority to reopen proceedings for "legal or constitutional error." *Bonilla v. Lynch*, 840 F.3d 575, 588 (9th Cir. 2016). We review the denial of a motion to reopen for abuse of discretion. *Lemus-Escobar v. Bondi*, 158 F.4th 944, 952 (9th Cir. 2025). We grant the petition and remand.

The BIA's rationale for denying Juan Juan's equitable tolling claim is insufficiently clear to permit meaningful review. *See Lona v. Barr*, 958 F.3d 1225, 1231 n.7 (9th Cir. 2020) (noting that it is "preferable that the agency show its work . . . so that we are not left guessing at its reasonings for denying relief" (internal quotation marks and citations omitted)). The BIA appears to acknowledge that Juan Juan's motion substantively raised an ineffective assistance of counsel claim by stating that "[s]he . . . alludes to ineffective assistance of counsel" but simultaneously found that Juan Juan did "not actually ma[k]e a claim of ineffective assistance of counsel." Thus, it is unclear whether the BIA's refusal to equitably toll the filing deadline was premised on Juan Juan's failure to state an adequate basis for an equitable tolling claim or her failure to adequately substantiate an ineffective assistance of counsel claim to merit applying equitable tolling. *See Arredondo v. Holder*, 623 F.3d 1317, 1320 (9th Cir. 2010) (noting that because we "cannot affirm the BIA on a ground upon which it did not rely," we must remand

the case so the BIA may clarify why it denied relief (citation omitted)). Accordingly, we grant the petition and remand the case to the BIA to clarify the grounds upon which it relied in denying relief.

PETITION GRANTED AND REMANDED.