**NOT FOR PUBLICATION**

FILED

OCT 29 2026

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| PATRICIA GALVAN-VAZQUEZ,<br><br>Petitioner,<br><br>v.<br><br>TODD BLANCHE, Attorney General,<br><br>Respondent. | No. 24-6553<br><br>Agency No.<br>A215-643-531<br><br>MEMORANDUM[*] |

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

Submitted October 27, 2026[**]
Phoenix, Arizona

Before: GRABER, HURWITZ, and BADE, Circuit Judges.

Patricia Galvan-Vazquez, a native and citizen of Mexico, petitions for review of a Board of Immigration Appeals (BIA) decision dismissing her appeal from an order of an Immigration Judge (IJ) denying her application for cancellation of removal. We have jurisdiction under 8 U.S.C. § 1252(a), and we

[*] 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).

deny the petition.

1. Galvan-Vazquez argues that the IJ made contradictory statements about whether Galvan-Vazquez's husband and daughter would accompany her to Mexico. But as the government argues, she did not present this claim to the BIA. Therefore, we do not consider it. *See Suate-Orellana v. Garland*, 101 F.4th 624, 629 (9th Cir. 2024) (holding that the exhaustion requirement of 8 U.S.C. § 1252(d)(1) is a mandatory claim-processing rule that a court must enforce if a party raises it).

2. Galvan-Vazquez also argues that the BIA erred by engaging in improper fact-finding by stating that the IJ found that Galvan-Vazquez's husband and child "will join [her] in Mexico after [her] removal." We disagree. The IJ stated that Galvan-Vazquez's husband and child would "travel to Mexico with her," but that there was "no evidence" that they "would stay" there. The BIA's use of the word "join" is not inconsistent with that finding. It refers to the IJ's finding that the husband and child would "go with" her. Even if the IJ's finding is ambiguous, the BIA permissibly interpreted it and did not thereby engage in fact-finding.

3. Next, Galvan-Vazquez argues that the agency overlooked evidence and thus failed to consider the hardship factors in combination. Whether the agency failed to consider relevant evidence is reviewable under 8 U.S.C.

§ 1252(a)(2)(D). *See Vilchez v. Holder*, 682 F.3d 1195, 1198 (9th Cir. 2012). But we ordinarily presume that the agency considered all the record evidence. *Larita-Martinez v. INS*, 220 F.3d 1092, 1095–96 (9th Cir. 2000). And Galvan-Vazquez has not identified anything "about the record which indicates it was not fully reviewed" and, thus, has not carried her burden of overcoming this presumption. *Cruz v. Bondi*, 146 F.4th 730, 740 (9th Cir. 2025); *see id.* (explaining that a petitioner must identify "what record evidence *in particular* was supposedly ignored or misstated").

a. Galvan-Vazquez contends that the BIA's use of the term "emotional hardship" suggests that it overlooked her daughter's specific diagnosis. To the contrary, the BIA stated that Galvan-Vazquez's daughter attended therapy due to anxiety and referred to the record evidence of her treatment, which included her diagnosis.

b. Galvan-Vazquez also contends that the agency overlooked evidence of the lack of adequate mental health care for children in Mexico. Although the agency did not mention this evidence expressly, the record does not reflect that the agency failed to consider it. Rather, the agency noted that Galvan-Vazquez's daughter had improved, and the record reflects that she had completed

therapy in August 2019.[1] Thus, Galvan-Vazquez has not shown that evidence of the availability of mental health care in Mexico was "highly probative or potentially dispositive." *Cruz*, 146 F.4th at 740 (citation omitted).

c. Galvan-Vazquez further argues that the agency failed to consider "safety concerns" related to crime in Mexico. But she fails to show that this evidence was "highly probative or potentially dispositive." *Id.* (citation omitted). Her BIA brief makes only passing reference to crime in Mexico, and "adverse country conditions in the country of return generally will be insufficient in themselves to support a finding of exceptional and extremely unusual hardship." *Gonzalez-Juarez v. Bondi*, 137 F.4th 996, 1006 (9th Cir. 2025) (citation modified).

The agency also considered the ability of Galvan-Vazquez and her husband to work and support their family. *See Matter of Monreal-Aguinaga*, 23 I. & N. Dec. 56, 64 (BIA 2001) (denying relief where the petitioner was thirty-four years old, in good health, able to work, and able to support his family in Mexico). Galvan-Vazquez points to no record evidence indicating that the hardships she describes are beyond those that are "'sadly common' in the removal context." *Gonzalez-*

[1] Galvan-Vazquez speculates that her daughter's "past psychological diagnosis, [and] the changes accompanied with a move" to Mexico, where she has never lived, could "cause significant hardship." But she did not exhaust this claim. *See Suate-Orellana*, 101 F.4th at 629.

*Juarez*, 137 F.4th at 1007 (quoting *Cabrera-Alvarez v. Gonzales*, 423 F.3d 1006, 1013 (9th Cir. 2005)).

**PETITION DENIED.**[2]

[2] The temporary stay of removal entered pursuant to General Order 6.4(c), to which the government filed a notice of non-opposition, will dissolve upon issuance of the mandate. Judge Bade would deny the motion for a stay of removal and dissolve the temporary administrative stay, effective immediately.