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NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

<p>PRAKASHKUMAR LALLUBAHI PATEL,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>MICHAEL B. MUKASEY, Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 06-74335

Agency No. A70-784-292

MEMORANDUM *

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

Submitted February 26, 2008**

Before: BEEZER, FERNANDEZ, and McKEOWN, Circuit Judges.

Prakashkumar Lallubahi Patel, a native and citizen of India, petitions for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen removal proceedings conducted *in absentia*. We have jurisdiction under

* 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).

8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to reopen, *see Konstantinova v. INS*, 195 F.3d 528, 529 (9th Cir. 1999), and we deny the petition for review.

The BIA did not abuse its discretion in denying Patel's second motion to reopen for failure to show prima facie eligibility for asylum and withholding of removal, where Patel's evidence of individualized risk relates to events that occurred 17 years ago, and he failed to show how the country report on India demonstrates he will be targeted for persecution. *See Konstantinova*, 195 F.3d at 530.

PETITION FOR REVIEW DENIED.

THE MANDATE SHALL ISSUE FORTHWITH.