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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIA ESTHER HERNANDEZ LOPEZ;  
et al.,

Petitioners,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 07-73108

Agency Nos. A95-193-340  
A95-193-341

MEMORANDUM\*

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

Submitted January 7, 2008\*\*

Before: O'SCANNLAIN, SILVERMAN and GRABER, Circuit Judges.

This is a petition for review from the Board of Immigration Appeals'  
("BIA") July 25, 2007 decision denying petitioners' motion to reconsider.

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\* 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).

07-73108

We have reviewed the record, respondent's motion for summary disposition and the opposition thereto. We conclude that summary disposition is appropriate because the questions raised by this petition for review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). The regulations provide that a party may file only one motion to reconsider any given decision, and such motion "must be filed with the Board within 30 days after the mailing of the Board decision." 8 C.F.R. § 1003.2(b)(2). The BIA did not abuse its discretion in denying petitioners' motion to reconsider, filed nearly 18 months after the BIA's November 21, 2005 decision denying petitioners' third motion to reopen. *See Lara-Torres v. Ashcroft*, 383 F.3d 968, 972 (9th Cir. 2004) (BIA's denial of a motion to reconsider is reviewed for abuse of discretion). Accordingly, respondent's motion for summary disposition is granted.

All other pending motions are denied as moot.

The temporary stay of removal shall continue in effect until issuance of the mandate. The motion for stay of voluntary departure, filed after the departure period had expired, is denied. *See Garcia v. Ashcroft*, 368 F.3d 1157 (9th Cir. 2004).

**PETITION FOR REVIEW DENIED.**