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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CLAUDIA ANNETTE GARCIA
MACIEL,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 05-72944

Agency No. A95-445-447

MEMORANDUM*

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

Submitted March 18, 2008**

Before: CANBY, T.G. NELSON, and BEA, Circuit Judges.

Claudia Annette Garcia Maciel, a native and citizen of Mexico, petitions pro
se for review from a decision of the Board of Immigration Appeals (“BIA”)

* 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).

denying her motion to reopen removal proceedings. Maciel sought cancellation of removal based on hardship to her United States citizen children.

We lack jurisdiction to review the BIA's denial of petitioner's motion to reopen, which alleged that her children would suffer hardship if she was removed. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Fernandez v. Gonzales*, 439 F.3d 592, 600 (9th Cir. 2006) (concluding that this court lacks jurisdiction to review the BIA's denial of motion to reopen for failure to establish a prima facie case if a prior adverse discretionary decision was made by the agency).

PETITION FOR REVIEW DISMISSED.