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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOAQUINA MARQUEZ GONZALEZ; et  
al.,

Petitioners,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 07-72086

Agency Nos. A95-875-433  
A95-875-434

MEMORANDUM\*

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

Submitted November 13, 2007 \*\*

Before: McKEOWN, TALLMAN and CLIFTON, Circuit Judges.

Petitioners' late opposition to the motion for summary disposition, received on September 24, 2007, is ordered filed.

This is a petition for review of the Board of Immigration Appeals' ("BIA") order denying petitioners' motion to reopen.

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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).

07-72086

The BIA's denial of a motion to reopen is reviewed for abuse of discretion. *See Cano-Merida v. INS*, 311 F.3d 960, 964 (9th Cir. 2002). The regulations state that a motion to reopen removal proceedings must be filed not later than ninety days after the date on which the final order of removal was entered. *See* 8 C.F.R. § 1003.2(c)(2).

The BIA did not abuse its discretion in denying petitioners' motion to reopen. The record indicates that petitioners' final order of removal was entered on August 7, 2006. The record further indicates that petitioners' motion to reopen was filed on February 20, 2007, more than ninety days after the date on which the final order of removal was entered. Accordingly, respondent's motion for summary disposition is granted 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).

All other pending motions are denied as moot. The temporary stay of removal confirmed by Ninth Circuit General Order 6.4(c) shall continue in effect until issuance of the mandate.

**PETITION FOR REVIEW DENIED.**