

Not for Publication in West's Federal Reporter

# United States Court of Appeals For the First Circuit

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No. 08-1875

SUSAN N. MUKASA,

Petitioner,

v.

ERIC H. HOLDER, JR.,\*  
ATTORNEY GENERAL OF THE UNITED STATES,

Respondent.

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PETITION FOR REVIEW OF AN ORDER OF  
THE BOARD OF IMMIGRATION APPEALS

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Before

Lynch, Chief Judge,

Farris\*\* and Howard, Circuit Judges.

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William P. Joyce and Joyce & Associates, P.C. were on brief for appellant.

Anthony Wray Norwood, Trial Attorney, Office of Immigration Litigation, Gregory G. Katsas, Assistant Attorney General, and Terri J. Scadron, Assistant Director, Office of Immigration Litigation, U.S. Department of Justice, were on brief for appellee.

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April 23, 2009

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\*Pursuant to Fed. R. App. P. 43(c)(2), Attorney General Eric H. Holder, Jr. has been substituted for former Attorney General Michael B. Mukasey as respondent.

\*\*Of the Ninth Circuit, sitting by designation.

**FARRIS, Circuit Judge.** Susan Mukasa, a native and citizen of Uganda, petitions for review of an order by the Board of Immigration Appeals denying her motion to reopen her removal proceedings. Mukasa entered the United States on December 25, 2000 using a false passport.

She applied for asylum, withholding of removal, and protection under the United Nations Convention Against Torture, all of which were denied. In moving to reopen, Mukasa asserted changed country conditions and offered additional evidence.

We review the Board's denial of a motion to reopen for abuse of discretion. Guerrero-Santana v. Gonzales, 499 F.3d 90, 92 (1st Cir. 2007). Under this standard, the Board's decision will stand unless the petitioner can show that it rests on an error of law or that it is patently arbitrary. Id. at 93.

We have carefully reviewed the record along with Mukasa's new allegations. She fails to challenge the adverse credibility finding. Her motion to reopen does nothing to rehabilitate the finding that her testimony was not credible, nor does it present a distinct new claim.

**AFFIRMED.**