

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 18-60821
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 25, 2020

Lyle W. Cayce
Clerk

MEI ZI ZHENG,

Petitioner

v.

WILLIAM P. BARR, U.S. ATTORNEY GENERAL,

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A097 742 805

Before HAYNES, WILLETT and HO, Circuit Judges.

PER CURIAM:*

Mei Zi Zheng, a native and citizen of China, was ordered removed in absentia in 2004. Now, she petitions this court for review of an order of the Board of Immigration Appeals (BIA) denying her fourth motion to reopen. She argues that the BIA erred by denying her motion because she received ineffective assistance of counsel and showed changed circumstances.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 18-60821

Because motions to reopen are disfavored, an alien who files one has a heavy burden. *Gonzalez-Cantu v. Sessions*, 866 F.3d 302, 305 (5th Cir. 2017). This court reviews the disposition of a motion to reopen under a “highly deferential abuse-of-discretion standard.” *Gomez-Palacios v. Holder*, 560 F.3d 354, 358 (5th Cir. 2009). This standard mandates that the BIA’s decision be affirmed unless it is “capricious, without foundation in the evidence, or otherwise so irrational that it is arbitrary rather than the result of any perceptible rational approach.” *Id.*

Zheng does not address the BIA’s conclusion that her motion to reopen should be denied because she had not shown prima facie eligibility for relief and has thus abandoned any challenge she may have had to this conclusion. *See Soadjede v. Ashcroft*, 324 F.3d 830, 833 (5th Cir. 2003). Additionally, this conclusion, standing alone, was a proper basis for the BIA to deny the motion to reopen. *See INS v. Abudu*, 485 U.S. 94, 104 (1988). Accordingly, there is no need to examine her arguments concerning the BIA’s alternate bases for its denial of her motion, and her petition for review is DENIED.