

MAY 27 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

BELEN PARRA-ALTAMIRANO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 05-73977

Agency No. A092-842-682

MEMORANDUM*

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

Submitted May 12, 2009**

Before: PREGERSON, CANBY, and BERZON, Circuit Judges.

Belen Parra-Altamirano, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order summarily affirming an immigration judge's ("IJ") order finding Parra-Altamirano removable as an aggravated felon.

* 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).

We have jurisdiction pursuant to 8 U.S.C. § 1252. We review de novo claims of due process violations, *Sandoval-Luna v. Mukasey*, 526 F.3d 1243, 1246 (9th Cir. 2008) (per curiam), and we deny the petition for review.

We reject Parra-Altamirano's contention that the IJ violated due process by denying a continuance because her proceedings were not "so fundamentally unfair that [she] was prevented from reasonably presenting [her] case." *Colmenar v. INS*, 210 F.3d 967, 971 (9th Cir. 2000) (internal quotation marks and citation omitted); *see also Grageda v. INS*, 12 F.3d 919, 921 (9th Cir. 1993) (IJ properly denied motion to continue because pending collateral attack did not affect finality of conviction). Moreover, Parra-Altamirano failed to demonstrate prejudice. *See Colmenar*, 210 F.3d at 971.

PETITION FOR REVIEW DENIED.