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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>NORMA JABER,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 06-75573

Agency No. A073-869-119

MEMORANDUM*

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

Submitted June 16, 2009**

Before PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

Norma Jaber, a native and citizen of Lebanon, petitions for review of the Board of Immigration Appeals’ (“BIA”) order both dismissing her appeal from an immigration judge’s (“IJ”) decision denying a motion for a continuance, and

* 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 remand. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion both the denial of a continuance, *Sandoval-Luna v. Mukasey*, 526 F.3d 1243, 1246 (9th Cir. 2008) (per curiam), and the denial of a motion to remand, *de Jesus Melendez v. Gonzales*, 503 F.3d 1019, 1023 (9th Cir. 2007). We deny the petition for review.

We conclude the IJ did not abuse her discretion by denying a second continuance to allow Jaber to seek expungement of a conviction. *See Grageda v. INS*, 12 F.3d 919, 921 (9th Cir. 1993); *Sandoval-Luna*, 526 F.3d at 1247. To the extent Jaber raises a due process claim based upon denial of the continuance, that claim fails as well. *See Lata v. INS*, 204 F.3d 1241, 1246 (9th Cir. 2000) (requiring error in order to prevail on a due process challenge).

Furthermore, we conclude the BIA did not abuse its discretion by denying Jaber's motion to remand because she failed to set forth a prima facie case for relief. *See Malhi v. INS*, 336 F.3d 989, 994 (9th Cir. 2003). Jaber's generalized fear of harm as a result of conflict between forces in Lebanon and Israel is insufficient to establish a prima facie case for asylum and withholding of removal, *see Rostomian v. INS*, 210 F.3d 1088, 1089 (9th Cir. 2000), and Jaber failed to set forth sufficient evidence indicating that a Lebanese government official or person

acting in an official capacity would torture her or aid or acquiesce in her torture by others, *see Wakkary v. Holder*, 558 F.3d 1049, 1067-68 (9th Cir. 2009).

PETITION FOR REVIEW DENIED.