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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ARTURO LOPEZ DELGADILLO;
GUILLERMINA CASTILLO DE LOPEZ,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-70958

Agency Nos. A075-736-591

A075-736-592

MEMORANDUM*

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

Submitted June 29, 2010**

Before: ALARCÓN, LEAVY, and GRABER, Circuit Judges.

Arturo Lopez Delgadillo and Guillermina Castillo de Lopez, husband and wife and natives and citizens of Mexico, petition for review of the Board of Immigration Appeals’ (“BIA”) order dismissing their appeal from an immigration judge’s (“IJ”) decision denying their applications for cancellation of removal. We

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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

We agree with the BIA's conclusion that petitioners failed to establish any prejudice stemming from the IJ's denial of their request for a continuance, because they failed to state what testimony Dr. Morales would provide that might have affected the outcome of the proceedings. *See Cano-Merida v. INS*, 311 F.3d 960, 965 (9th Cir. 2002) (requiring prejudice to prevail on a due process challenge).

PETITION FOR REVIEW DENIED.