FILED

JUL 16 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

KFEIR LEVY, Petitioner, v. ERIC H. HOLDER, Jr., Attorney General, Respondent.	No. 08-71966 Agency No. A042-517-270 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.

Kfeir Levy, a native and citizen of Israel, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's removal order. We have jurisdiction under 8 U.S.C. § 1252. "[W]e review for whether substantial evidence supports a finding by clear, unequivocal, and

---

* 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).

convincing evidence that [Levy] abandoned his lawful permanent residence in the United States." *Khodagholian v. Ashcroft*, 335 F.3d 1003, 1006 (9th Cir. 2003). We deny the petition for review.

Substantial evidence supports the agency's determination that the government met its burden of showing Levy abandoned his lawful permanent resident status because the record does not compel the conclusion that he consistently intended promptly to return to the United States. *See Singh v. Reno*, 113 F.3d 1512, 1514 (9th Cir. 1997) (stating that "[t]he relevant intent is not the intent to return ultimately, but the intent to return to the United States within a relatively short period"); *see also Chavez-Ramirez v. INS*, 792 F.2d 932, 937 (9th Cir. 1986) (alien's trip abroad is temporary only if he has a "continuous, uninterrupted intention to return to the United States during the entirety of his visit").

Levy's remaining contentions are unavailing.

PETITION FOR REVIEW DENIED.