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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>REY EMIDIO MALDONADO-HERNANDEZ,</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. 06-70690

Agency No. A091-657-223

MEMORANDUM*

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

Submitted August 11, 2011**

Before: THOMAS, SILVERMAN, and CLIFTON, Circuit Judges.

Rey Emidio Maldonado-Hernandez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s (“IJ”) decision denying his request for a continuance. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for abuse of discretion the

* 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).

denial of a continuance, *Sandoval-Luna v. Mukasey*, 526 F.3d 1243, 1246 (9th Cir. 2008) (per curiam), and we deny in part and dismiss in part the petition for review.

The IJ did not abuse her discretion by denying a second continuance to allow Maldonado-Hernandez to seek post-conviction relief. *See id.* at 1247.

We lack jurisdiction to review Maldonado-Hernandez's contentions regarding his allegedly defective criminal conviction, as we cannot collaterally reexamine his conviction. *See Ortega de Robles v. INS*, 58 F.3d 1355, 1358 (9th Cir. 1995).

PETITION FOR REVIEW DENIED in part; DISMISSED in part.