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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>KRYSTLE MACAPAGAL AGUSTIN,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 11-71342

Agency No. A094-880-382

MEMORANDUM*

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

Submitted November 13, 2012**

Before: CANBY, TROTT, and W. FLETCHER, Circuit Judges.

Krystle Macapagal Agustin, a native and citizen of the Philippines, petitions for review of the Board of Immigration Appeals’ order dismissing her appeal from an immigration judge’s (“IJ”) decision denying her request for a continuance. We have jurisdiction under 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, *Ahmed v. Holder*, 569 F.3d 1009, 1012 (9th Cir. 2009), and we deny the petition for review.

The agency did not abuse its discretion in denying Agustin's request for a continuance where she failed to show good cause. *See* 8 C.F.R. § 1003.29; *cf.* *Ahmed*, 569 F.3d at 1012-15 (good cause shown for continuance to await adjudication of I-140 appeal).

Agustin's request regarding prosecutorial discretion is denied.

PETITION FOR REVIEW DENIED.