

MAY 20 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ARMANDO RIVAS-PUENTES,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 12-71977

Agency No. A200-153-867

MEMORANDUM*

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

Submitted May 14, 2013**

Before: LEAVY, THOMAS, and MURGUIA, Circuit Judges.

Armando Rivas-Puentes, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s (“IJ”) removal order. Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo questions of law, *Khan v. Holder*, 584 F.3d

* 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).

773, 776 (9th Cir. 2009), and review for abuse of discretion the denial of a request for a continuance, *Ahmed v. Holder*, 569 F.3d 1009, 1012 (9th Cir. 2009). We deny the petition for review.

Rivas-Puentes' conviction for inflicting corporal injury on his spouse, in violation of California Penal Code § 273.5(a), is a crime of domestic violence under 8 U.S.C. § 1227(a)(2)(E)(i) that renders him statutorily ineligible for cancellation of removal. *See* 8 U.S.C. § 1229b(b)(1)(C); *Vasquez-Hernandez v. Holder*, 590 F.3d 1053, 1056-57 (9th Cir. 2010); *Banuelos-Ayon v. Holder*, 611 F.3d 1080, 1083-86 (9th Cir. 2010).

The IJ did not abuse his discretion in denying Rivas-Puentes' request for a continuance for failure to show good cause. *See* 8 C.F.R. § 1003.29; *Sandoval-Luna v. Mukasey*, 526 F.3d 1243, 1247 (9th Cir. 2008) (per curiam) (no abuse of discretion in denying continuance where relief was not immediately available).

PETITION FOR REVIEW DENIED.