

SEP 26 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DONGHONG YE, AKA Dong Hong Ye,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-70971

Agency No. A075-753-992

MEMORANDUM*

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

Argued and Submitted September 12, 2013
San Francisco, California

Before: SCHROEDER and BYBEE, Circuit Judges, and BEISTLINE, Chief
District Judge.**

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

** The Honorable Ralph R. Beistline, Chief United States District Judge
for the District of Alaska, sitting by designation.

Donghong Ye, a native and citizen of China, petitions for review of the Board of Immigration Appeals' ("BIA") decision dismissing Ye's appeal of the Immigration Judge's ("IJ") decision denying any relief from removal. The denial was on the basis of marriage fraud. Substantial evidence supported the finding of marriage fraud, including the admission of Ye's ex-wife that she was paid to enter a marriage that was not bona fide. The BIA did not fail to take hardship claims into account or otherwise abuse its discretion when it denied a waiver of inadmissibility.

Ye's principal argument is that the IJ should not have denied him a continuance in order to permit his mother to obtain an interpreter. The only purpose that was stated for her testimony was that she would describe the persecution Ye's father experienced when Ye was a child. Since there was no nexus between the father's persecution and the likelihood of Ye himself being persecuted, the testimony could not have affected the decision in the case. *See Singh v. I.N.S.*, 134 F.3d 962, 967 (9th Cir. 1998).

The petition for review is **DENIED**.