

DEC 16 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

EDGAR ARAUJO-GOMEZ,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 12-73837

Agency No. A038-522-926

MEMORANDUM*

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

Submitted December 9, 2014**

Before: WALLACE, LEAVY, and BYBEE, Circuit Judges.

Edgar Araujo-Gomez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his request for a continuance. We dismiss the petition for review.

* 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).

Araujo-Gomez sought a continuance of his removal proceedings in order to file a petition for a writ of habeas corpus in federal court challenging the state conviction that rendered him removable. Araujo-Gomez's habeas petition has now been dismissed. *Araujo v. Napolitano*, No. CV 12-7741-GAF (MAN), 2012 WL 4107846, at *2 (C.D. Cal. Sept. 18, 2012). Accordingly, his challenge to the denial of the continuance to pursue that relief is moot. *See Pedroza-Padilla v. Gonzales*, 486 F.3d 1362, 1364 n.2 (9th Cir. 2007); *see also United States v. Strong*, 489 F.3d 1055, 1059 (9th Cir. 2007) (“[A] live case or controversy must be extant at all stages of review. Otherwise, the case is moot and must be dismissed.” (quotation marks and internal citation omitted)).

PETITION FOR REVIEW DISMISSED.