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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RUDY MATEO MIGUEL,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 13-71100

Agency No. A072-282-237

MEMORANDUM*

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

Submitted January 20, 2016**

Before: CANBY, TASHIMA, and NGUYEN, Circuit Judges.

Rudy Mateo Miguel, a native and citizen of the Philippines, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his motion 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.

Miguel sought a continuance to await adjudication of the I-130 visa petition his current wife filed on his behalf in 2010. As Miguel now concedes, the United States Citizenship and Immigration Service’s (“USCIS”) website indicates that the petition was denied on May 19, 2014. *See* Pt’r Reply Br. at 10 n.11. 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) (“An appeal is moot when, by virtue of an intervening event, a court of appeals cannot grant any effectual relief whatever in favor of the appellant.” (citation and internal quotation marks omitted)).

In reaching this conclusion, we take judicial notice on our own motion of an online USCIS case status report at <https://egov.uscis.gov/casestatus/mycasestatus.do;jsessionid=BE48E5810ADD30AF7A1BFF216A70672C> that corresponds to the receipt number for Miguel’s I-130 petition that appears in the administrative record, and confirms that the petition was denied on May 19, 2014. *See Dent v. Holder*, 627 F.3d 365, 371 (9th Cir. 2010) (taking judicial notice of agency records).

We deny as moot Miguel's April 24, 2014, "Motion to Supplement Record With DHS Records Not Filed With EOIR."

PETITION FOR REVIEW DISMISSED.