

JAN 27 2016

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ABRAHAM JUAREZ-CHAVEZ, AKA
Abraham Juarez, AKA Abraham Abraham
Juarez,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 13-71490

Agency No. A087-188-569

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.

Abraham Juarez-Chavez, 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 motion for a continuance and ordering

* 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).

him removed to Mexico. We have jurisdiction under 8 U.S.C. § 1252. We dismiss the petition for review.

We lack jurisdiction to review Juarez-Chavez's unexhausted contention that because his conviction for cocaine possession has been dismissed he is now eligible for relief from removal, *Tijani v. Holder*, 628 F.3d 1071, 1080 (9th Cir. 2010), and we do not consider the extra-record materials that Juarez-Chavez submitted with his briefs, *see* 8 U.S.C. § 1252(b)(4)(A) (the court's review is limited to the administrative record); *see also Fisher v. INS*, 79 F.3d 955, 963 (9th Cir. 1996) (en banc) (to have additional documents considered, petitioner must file a motion to reopen with the agency).

PETITION FOR REVIEW DISMISSED.