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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOSE EMILIO RUIZ-QUIROZ,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-70270

Agency No. A090-811-286

MEMORANDUM*

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

Submitted February 24, 2016**

Before: LEAVY, FERNANDEZ, and RAWLINSON, Circuit Judges.

Jose Emilio Ruiz-Quiroz, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order denying his request for an abeyance of his appeal and dismissing his appeal from an immigration judge's order of removal. We have jurisdiction under 8 U.S.C. § 1252. We 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).

de novo claims of due process violations, *Vilchez v. Holder*, 682 F.3d 1195, 1198 (9th Cir. 2012), and we deny the petition for review.

The BIA did not violate due process in denying Ruiz-Quiroz' request to hold his appeal in abeyance, where the request was not sufficiently supported and the BIA provided reasoned grounds for denial. In addition, the denial did not prevent Ruiz-Quiroz from presenting his ineffective assistance claim in a motion to reopen. *See id.* at 1199 (the court will reverse the BIA's decision on due process grounds if the proceeding was "so fundamentally unfair that the alien was prevented from reasonably presenting his case"); *She v. Holder*, 629 F.3d 958, 963 (9th Cir. 2010) ("Due process and this court's precedent require a minimum degree of clarity in dispositive reasoning and in the treatment of a properly raised argument.").

PETITION FOR REVIEW DENIED.