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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MIGUEL CASTELLANOS MARTINEZ,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-71384

Agency No. A205-714-528

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.

Miguel Castellanos Martinez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal and denying his motion to remand. We have jurisdiction under 8 U.S.C. § 1252.

* 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).

We review for abuse of discretion the denial of a motion to remand. *Romero-Ruiz v. Mukasey*, 538 F.3d 1057, 1062 (9th Cir. 2008). We deny the petition for review.

The BIA did not abuse its discretion in denying Castellanos Martinez's motion to remand for failure to establish prejudice, where Castellanos Martinez failed to explain what evidence prior counsel failed to submit that may have affected the outcome of his proceedings. *Martinez-Hernandez v. Holder*, 778 F.3d 1086, 1089 (9th Cir. 2015) (finding the petitioner could not establish prejudice where he had offered no argument or evidence to back up his claim for relief); *see also Ortiz v. INS*, 179 F.3d 1148, 1153 (9th Cir. 1999) (denying the petition where petitioners requested remand to explain eligibility for asylum, but failed to establish what evidence they would present on remand).

PETITION FOR REVIEW DENIED.