

JAN 24 2017

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JAIME FABIAN MEZA-RIVAS, AKA
Jaime Mezarivais, AKA Jaime Fabian
Mezarivas, AKA Jaime F. Mezrevias,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 15-71882

Agency No. A205-297-149

MEMORANDUM*

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

Submitted January 18, 2017**

Before: TROTT, TASHIMA, and CALLAHAN, Circuit Judges.

Jaime Fabian Meza-Rivas, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") order denying a continuance and entering an order of

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

removal. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a continuance and review de novo due process claims. *Sandoval-Luna v. Mukasey*, 526 F.3d 1243, 1246 (9th Cir. 2008). We deny the petition for review.

The agency did not abuse its discretion or violate due process by denying Meza-Rivas' motion for a continuance for lack of good cause, where Meza-Rivas had the opportunity to research and incorporate recent developments regarding social group claims, and future changes in the law remained speculative. *See* 8 C.F.R. § 1003.29 (an IJ may grant a motion for a continuance for good cause); *Ahmed v. Holder*, 569 F.3d 1009, 1012 (9th Cir. 2009) (considering the nature of the evidence excluded and the reasonableness of petitioner's conduct); *Singh v. Holder*, 638 F.3d 1264, 1274 (9th Cir. 2011) (“[T]he IJ [is] not required to grant a continuance based on . . . speculations.”); *Lata v. INS*, 204 F.3d 1241, 1246 (9th Cir. 2000).

Meza-Rivas' motion for a stay of removal (Docket Entry No. 20) and supplemental motion for a stay of removal (Docket Entry No. 22) are denied as moot.

PETITION FOR REVIEW DENIED.