

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

APR 19 2017

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

PEDRO ENRIQUE MUNOZ BONILLA,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 13-74045

Agency No. A092-523-275

MEMORANDUM *

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

Submitted April 11, 2017**

Before: GOULD, CLIFTON, and HURWITZ, Circuit Judges.

Pedro Enrique Munoz Bonilla, 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") decision denying his motion for a continuance. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the

* 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).

agency's denial of a continuance, and we 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 in denying Munoz Bonilla's motion for a third continuance, where he failed to file any applications for relief from removal after the IJ had warned him of the consequences of such failure, and he failed to establish good cause. *See* 8 C.F.R. § 1003.31(c); *Sandoval-Luna*, 526 F.3d at 1247; *Lata v. I.N.S.*, 204 F.3d 1241, 1246 (9th Cir. 2000) (an alien must show error and prejudice to prevail on a due process claim).

The record does not support Munoz Bonilla's contention that the agency failed to consider contentions or provide sufficient reasoning. *See Najmabadi v. Holder*, 597 F.3d 983, 990 (9th Cir. 2010).

PETITION FOR REVIEW DENIED.