

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 16 2018

FOR THE NINTH CIRCUIT

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

CANDELARIO ANTONIO-VINCENTE,
AKA Gregorio Francisco-Santiago,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 17-71469

Agency No. A075-725-907

MEMORANDUM*

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

Submitted April 11, 2018**

Before: SILVERMAN, PAEZ, and OWENS, Circuit Judges.

Candelario Antonio-Vincente, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") decision denying special rule

* 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).

cancellation of removal under the Nicaraguan Adjustment and Central American Relief Act (“NACARA”). We have jurisdiction under 8 U.S.C. § 1252. We review de novo due process claims. *Simeonov v. Ashcroft*, 371 F.3d 532, 535 (9th Cir. 2004). We deny the petition for review.

Antonio-Vincente’s contention that certain conduct, comments, and questioning by the IJ demonstrated bias against him and violated his due process right to a neutral factfinder is unsupported. *See Rivera v. Mukasey*, 508 F.3d 1271, 1276 (9th Cir. 2007) (no due process violation where alien did not show that the IJ had a “deep-seated favoritism or antagonism that would make fair judgment impossible” (internal quotation marks and citation omitted)).

The BIA did not err in declining to review the hardship determination where its denial of relief as a matter of discretion is dispositive. *See Simeonov*, 371 F.3d at 538 (courts and agencies are not required to decide issues unnecessary to the results they reach).

PETITION FOR REVIEW DENIED.