

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-2099

RABIUL ISLAM,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A72-167-546)

Submitted: May 10, 2006

Decided: June 29, 2006

Before NIEMEYER, MOTZ, and TRAXLER, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Cynthia G. Katz, LAW OFFICES OF CYNTHIA A. GROOMES, P.C., Bethesda, Maryland, for Petitioner. Peter D. Keisler, Assistant Attorney General, Carol Federighi, James A. Hunolt, Senior Litigation Counsel, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Rabiul Islam, a native and citizen of Bangladesh, petitions for review of a decision of the Board of Immigration Appeals (Board), upholding the immigration judge's ruling finding Islam removable and denying his motion for a continuance of his removal hearing pending adjudication of a labor certification filed by his employer on his behalf. On appeal, Islam challenges the continuance ruling.

"The immigration judge may grant a motion for continuance for good cause shown." 8 C.F.R. § 1003.29 (2006). Whether to grant such a motion "is within the sound discretion of the immigration judge and is reviewed for abuse of discretion only." Onyeme v. INS, 146 F.3d 227, 231 (4th Cir. 1998). Having reviewed the administrative record, we conclude that the Board did not err in finding the immigration judge acted within its discretion in denying Islam's motion for continuance.

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED