

October 11, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-61105
Summary Calendar

MIAN IHSAN ULLAH,

Petitioner,

versus

ALBERTO R. GONZALES, U. S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A78-999-846

Before KING, HIGGINBOTHAM, and GARZA, Circuit Judges.

PER CURIAM:*

Mian Ihsan Ullah petitions for review of the Board of Immigration Appeals' (BIA) November 1, 2005, order adopting and affirming the Immigration Judge's decision finding him removable and denying a continuance pending the adjudication of his labor certification application. Ullah argues that the denial of a continuance violated his rights under the Legal Immigration Family Equity (LIFE) Act,¹ principles of equal protection, and

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

¹ Codified at 8 U.S.C. § 1255(i).

the Due Process Clause. He further argues that the National Security Entry-Exit Registration System (NSEERS) violates the Equal Protection Clause.

We find neither an abuse of discretion nor a due process violation in connection with the denial of a continuance pending resolution of Ullah's application for labor certification. Ahmed v. Gonzales, 447 F.3d 433, 438-39 (5th Cir. 2006); Ali v. Gonzales, 440 F.3d 678, 680-81 (5th Cir. 2006). Ullah's constitutional challenge to the NSEERS is similarly without merit. Ali, 440 F.3d at 680-82.

The petition for review is DENIED.