

United States Court of Appeals
For the Eighth Circuit

No. 20-2689

Horacio Ocampo Barrera

Petitioner

v.

Monty Wilkinson, Acting Attorney General of the United States¹

Respondent

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

Submitted: March 5, 2021

Filed: March 11, 2021

[Unpublished]

Before BENTON, MELLOY, and KELLY, Circuit Judges.

PER CURIAM.

¹Monty Wilkinson is serving as Acting Attorney General of the United States, and is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

Horacio Ocampo Barrera, a native and citizen of Mexico, petitions for review of an order of the Board of Immigration Appeals (BIA), which denied his motion to remand and dismissed his appeal from an immigration judge's (IJ's) decision denying his request for a further continuance to seek cancellation of removal. After carefully considering the record and the parties' arguments on appeal, we conclude that the IJ did not clearly err in denying a further continuance for lack of good cause shown, particularly given that Ocampo Barrera already had been granted multiple continuances over a six-year period but was unable to establish grounds for relief. See Choge v. Lynch, 806 F.3d 438, 441 (8th Cir. 2015) (standard of review); see also Mogeni v. Holder, 779 F.3d 847, 849-50 (8th Cir. 2015); Thimran v. Holder, 599 F.3d 841, 844-45 (8th Cir. 2010); 8 C.F.R. §§ 1003.29, 1240.6. We further conclude that the BIA did not abuse its discretion in denying remand because Ocampo Barrera failed to demonstrate the outcome of his proceedings would likely change. See 8 U.S.C. § 1229a(c)(7)(B); Caballero-Martinez v. Barr, 920 F.3d 543, 548 (8th Cir. 2019); Vargas v. Holder, 567 F.3d 387, 389-91, 389 n.4 (8th Cir. 2009); 8 C.F.R. § 1003.2(c)(1). Ocampo Barrera's remaining arguments are without merit.

Accordingly, we deny the petition for review.
