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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>IGBAL SINGH-SINGH, a.k.a. IQBAL SINGH-SINGH,</p> <p style="text-align: center;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 09-71216

Agency No. A070-169-522

MEMORANDUM*

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

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Igbal Singh-Singh, a native and citizen of India, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's order denying his motion to reopen deportation proceedings conducted in absentia. We have jurisdiction under 8 U.S.C. § 1252. Reviewing for abuse of

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

discretion, *Celis-Castellano v. Ashcroft*, 298 F.3d 888, 890 (9th Cir. 2002), we deny the petition for review.

The agency did not abuse its discretion in denying Singh-Singh's motion to reopen because the evidence he submitted was insufficient to establish exceptional circumstances to excuse his absence from his removal hearing. *See* 8 U.S.C. § 1229a(e)(i); *see also Celis-Castellano*, 298 F.3d at 890-92 (alien made no showing of the seriousness of his alleged asthma attack where, *inter alia*, he failed to submit evidence addressing his condition on the day of the hearing).

Singh-Singh's due process contentions are not supported by the record.

PETITION FOR REVIEW DENIED.