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U.S. COURT OF APPEALS

## NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FELICISIMA ALBIOLA ESPINOSA,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 11-72495

Agency No. A088-224-046

MEMORANDUM\*

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

Submitted July 21, 2015\*\*

Before: CANBY, BEA, and MURGUIA, Circuit Judges.

Felicisima Albiola Espinosa, a native and citizen of the Philippines, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's ("IJ") removal order. We have jurisdiction under 8 U.S.C. § 1252. We review for abuse of discretion the denial of a motion to continue, and

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\* 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).

review de novo due process claims. *Sandoval-Luna v. Mukasey*, 526 F.3d 1243, 1246 (9th Cir. 2008). We deny the petition for review.

The agency did not abuse its discretion in denying a continuance, where Albiola Espinosa had already been given three continuances and she did not show good cause for an additional continuance. *See* 8 C.F.R. § 1003.29 (an IJ may grant a motion for a continuance for good cause shown). Albiola Espinosa's contention that the IJ did not consider all the facts presented is belied by the record.

To the extent Albiola Espinosa is making a due process claim, it therefore fails. *See Lata v. INS*, 204 F.3d 1241, 1246 (9th Cir. 2000) (to prevail on a due process challenge, an alien must show error and prejudice).

**PETITION FOR REVIEW DENIED.**