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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>LUBAN BASIM IBRAHEEM,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 12-73267

Agency No. A099-002-722

MEMORANDUM*

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

Submitted January 21, 2014**

Before: CANBY, SILVERMAN, and PAEZ, Circuit Judges.

Luban Basim Ibraheem, a native of Iraq and citizen of New Zealand, petitions for review of the Board of Immigration Appeals’ (“BIA”) order denying his motion to reopen to adjust status. We have jurisdiction under 8 U.S.C. § 1252.

* 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).

We review the denial of a motion to reopen for abuse of discretion. *Malhi v. INS*, 336 F.3d 989, 993 (9th Cir. 2003). We deny the petition for review.

The BIA did not abuse its discretion in denying Ibraheem's motion to reopen to apply for adjustment of status where he did not show prima facie eligibility for the relief sought. *See id.* at 994.

Ibraheem's contention that the BIA should have applied an analysis similar to that used in cases involving continuances is not persuasive.

PETITION FOR REVIEW DENIED.