

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 29 2018

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SERGIO CABANAS, AKA Sergio
Caballos-Gervacio,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 16-73144

Agency No. A088-856-302

MEMORANDUM*

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

Submitted October 22, 2018**

Before: SILVERMAN, GRABER, and GOULD, Circuit Judges.

Sergio Cabanas, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for cancellation of removal. We have jurisdiction under 8 U.S.C. § 1252. We review de novo due process claims.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

Colmenar v. INS, 210 F.3d 967, 971 (9th Cir. 2000). We deny the petition for review.

Cabanas’ due process claim fails, where the record does not support his contention that he was denied a full and fair hearing. *See id.* (due process claims require showing that proceedings were “so fundamentally unfair that the alien was prevented from reasonably presenting his case”) (internal quotation marks and citation omitted); *Almaghzar v. Gonzales*, 457 F.3d 915, 922 (9th Cir. 2006) (petitioner “had ample opportunity to present his case, and the record as a whole does not suggest that the IJ did not conduct the hearing with an open mind”).

PETITION FOR REVIEW DENIED.