

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 17 2008

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

ALVINO GARCIA-LAGARDA,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 04-70402

Agency No. A71-597-141

MEMORANDUM*

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

Submitted July 15, 2008**
Pasadena, California

Before: FERNANDEZ, RYMER, and KLEINFELD, Circuit Judges.

Alvino Garcia-Lagarda petitions for review of the decision of the Board of Immigration Appeals (BIA) that he is deportable as an alien who entered the

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

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

United States without inspection, pursuant to former § 241(a)(1)(B) of the Immigration and Naturalization Act (INA), 8 U.S.C. § 1252(a)(1)(B), *transferred to* 8 U.S.C. § 1227(a)(1)(B), and that he is ineligible for a waiver of deportation under former § 212(c) of the INA, 8 U.S.C. § 1182(c) (repealed 1996), because he is an alien found deportable for entering the United States without inspection.

Garcia-Lagarda argues that the BIA improperly denied § 212(c) relief as he was a permanent legal resident of the United States, and that he was denied an opportunity to prove his status. We deny the petition.

The BIA neither deemed Garcia-Lagarda deportable nor denied him § 212(c) relief on the basis that he is not a permanent legal resident. Rather, the BIA reached both decisions because Garcia-Lagarda entered the country without inspection. He raises no issue with respect to this determination.

To the extent that Garcia-Lagarda suggests that the IJ improperly denied him a continuance, the point is not developed by argument and is, thus, abandoned. *See Ghahremani v. Gonzales*, 498 F.3d 993, 997 (9th Cir. 2007) (issues raised but not supported by argument are deemed abandoned). In any event, the IJ did not abuse his discretion; Garcia-Lagarda did not request time to subpoena documents from the Social Security Administration until eight years after the proceedings were commenced and on the eve of a decision.

PETITION DENIED.