

October 12, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-60894
Summary Calendar

MARIA FELICITAS CRUZ DE GOMEZ, also known as Felicitas Cruz
De Gomez,

Petitioner,

versus

ALBERTO R. GONZALES, U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A77 534 904

Before DeMOSS, STEWART, and PRADO, Circuit Judges.

PER CURIAM:*

Maria Felicitas Cruz De Gomez (Gomez) petitions for review of the Board of Immigration Appeals' (BIA's) decision denying adjustment of status. We hold that substantial evidence does not compel a reversal of the immigration judge's finding that Gomez did not enter the United States under advance parole and was therefore statutorily ineligible for adjustment of status. See Majd v. Gonzales, 446 F.3d 590, 594 (5th Cir. 2006); Mortera-Cruz v. Gonzales, 409 F.3d 246, 249, 256 (5th Cir. 2005). We further

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

hold that under the circumstances of her case, it was not unreasonable for the immigration judge to require Gomez to provide evidence corroborating her testimony that she had entered the United States under advance parole. Cf. Zhao v. Gonzales, 404 F.3d 295, 304 (5th Cir. 2005).

Finally, Gomez's untimely request to toll or stay the period of voluntary departure is refused. Cf. Bocova v. Gonzales, 412 F.3d 257, 266, 268 (1st Cir. 2005); Garcia v. Ashcroft, 368 F.3d 1157, 1159 (9th Cir. 2004).

PETITION DENIED.