UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 93-5532
Summary Calendar

MICAELA ALVEREZ-QUINTANILLA,

Petitioner,

VERSUS

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

Petition for Review of an Order of the
Immigration and Naturalization Service
(A71 886 690)

(August 18, 1994)

Before GARWOOD, DAVIS and JONES, Circuit Judges.

PER CURIAM:[1]

Petitioner seeks review of a final order of the Board of Immigration Appeals ("BIA") denying her request for suspension of deportation from an order of deportability entered by the immigration judge in October 1992. We affirm.

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[1]Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

The question presented is whether the BIA abused its discretion in determining that petitioner failed to demonstrate extreme hardship either to herself or to her six-year old United States citizen child. That is the only issue we find necessary to address in this appeal.

Petitioner first came to this county in 1984 without presenting herself for inspection by an immigration officer. She joined her sister, Alma Alverez-Gonzalez, and helped Alma care for her baby. Petitioner left her own son, Mario, a Mexican national, with her mother in Mexico. Mario suffers from epilepsy, and petitioner's mother eventually brought Mario to the United States and left him with petitioner.

Petitioner also has a six-year old daughter, Joanna, whose biological father lives in McAllen, Texas. Until recently, petitioner lived with Ricardo Alaniz. They were together from December 1986, when Joanna was two months old, until January 1991 when Mr. Alaniz was murdered. Joanna considered Mr. Alaniz to be her father. Mr. Alaniz provided financial support for petitioner and her two children until his death.

Petitioner has a third-grade education and reads very little. She and her children live on welfare, food stamps, and the assistance of her sister; they live in public housing. Petitioner testified that she enjoys caring for children and plans to work in a day care facility.

Petitioner will undoubtedly suffer considerable hardship if deported to Mexico. She testified that she has no family to live

with and has no place to go. She will likely not qualify for public assistance. The pay is low and she does not know how she will support her family. Her Mexican-born son has epilepsy, and she will have difficulty getting treatment for him. Her U.S. citizen daughter will not qualify for public school and, unless she can obtain money to send her to private school, she will get no education.

The immigration judge, whose findings and conclusions were affirmed in their entirety by the BIA, agreed that petitioner and her child would experience hardship if deported to Mexico. The judge pointed out, however, that petitioner speaks Spanish, understands the culture, and has a mother and five siblings living in Mexico who would provide emotional support to her. The immigration judge also observed that petitioner's U.S. citizen child lives in a home where Spanish is the first language, which will help her in adjusting to a new school system.

Our review of the BIA's finding of no extreme hardship is very deferential: "[I]n the substantive review of a no 'extreme hardship' determination, we are entitled to find that the BIA abused its discretion only in a case where the hardship is uniquely extreme, at or closely approaching the outer limits of the most severe hardship the alien could suffer and so severe that any reasonable person would necessarily conclude that the hardship is extreme." **Hernandez-Cordero v. Immigration and Naturalization**

Service, 819 F.2d 558, 563 (5th Cir. 1987) (en banc).[2] After reviewing the immigration judge's findings, we conclude that he gave adequate consideration to the claims of petitioner and her U.S. citizen child concerning the hardship they would suffer if deported to Mexico. Under our deferential standard of review, we cannot say that the immigration judge abused his discretion. Evidence of petitioner's prior residency in Mexico, her ability and Joanna's ability to speak Spanish, the presence in Mexico of her mother and five siblings, and the young age of petitioner's Spanish-speaking U.S. citizen child support the immigration judge's decision. We conclude therefore that the immigration judge did not abuse his discretion.[3]

AFFIRMED.

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[2] The BIA here affirmed the immigration judge's decision "in its entirety." We agree with the INS that adoption of the immigration judge's decision presents no difficulty in terms of the sufficiency of the Board's articulation of its reasoning. We therefore review the immigration judge's analysis to determine whether adequate consideration has been given to petitioner's arguments.

[3] Our resolution of this issue makes it unnecessary to consider the immigration judge's alternate determination that petitioner did not merit suspension of deportation as an exercise of executive discretion.