

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-60144
Conference Calendar

JOSE LUIS MORGADO-SALGADO,

Petitioner,

versus

IMMIGRATION and NATURALIZATION SERVICE,

Respondent.

- - - - -
Petition for Review of an Order of the
Board of Immigration Appeals
INS No. A29-982-234
- - - - -

(October 17, 1995)

Before POLITZ, Chief Judge, and REAVLEY and SMITH, Circuit Judges.

PER CURIAM:*

Jose Luis Morgado-Salgado (Morgado) asserts that the Board of Immigration Appeals (BIA) abused its discretion in affirming the order of the Immigration Judge denying his petition to suspend his deportation. Morgado argues that his deportation would result in "extreme hardship." See 8 U.S.C. § 1254(a)(1); Hernandez-Cordero v. I.N.S., 819 F.2d 558, 560 (5th Cir. 1987)(en banc). The BIA's finding regarding extreme hardship is reviewed

* 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 Pursuant to that Rule, the court has determined that this opinion should not be published.

under a strict standard for abuse of discretion. Hernandez-Cordero, 819 F.2d at 561-63.

Procedurally, review is limited to determination whether the BIA gave any consideration to the relevant factors establishing extreme hardship. Id. at 563. Substantively, we may find that the BIA abused its discretion only in a case in which "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." Id.

The BIA specifically stated its findings regarding each factor that Morgado asserts was relevant to the suspension of his deportation. The BIA found that Morgado presented evidence that his deportation would be economically detrimental; however, he did not present evidence that his hardship was "uniquely extreme" or one of the most severe hardships that a deported alien would face. The BIA did not abuse its discretion either procedurally or substantively.

The petition for review is DENIED.