

United States Court of Appeals  
For the Eighth Circuit

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No. 13-3780

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Cesar Gustavo Aldana

*Petitioner*

v.

Eric H. Holder, Jr., Attorney General of United States

*Respondent*

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

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Submitted: November 7, 2014

Filed: November 17, 2014

[Unpublished]

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Before COLLOTON, BOWMAN, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Cesar Gustavo Aldana, a native and citizen of Guatemala, petitions for review of an order of the Board of Immigration Appeals, which upheld an immigration judge's decision denying his motion to suppress evidence and ordering him removed. In support of his petition, Aldana argues that the immigration judge erred in failing to hold a suppression hearing because the facts alleged in the affidavits submitted by

Aldana showed that he suffered an egregious violation of his Fourth Amendment rights during the traffic stop that led to the deportation proceedings underlying his removal. After careful review, we deny the petition because we conclude that Aldana did not make a prima facie showing that he suffered the alleged violation. See Martinez Carcamo v. Holder, 713 F.3d 916, 921 (8th Cir. 2013) (standard of review); Lopez-Fernandez v. Holder, 735 F.3d 1043, 1047 (8th Cir. 2013) (“Only after presenting [a] prima facie case is an evidentiary suppression hearing warranted.”).

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