

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 09-16355  
Non-Argument Panel

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FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MAY 28, 2010 JOHN LEY CLERK
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D.C. Docket No. 07-02265-CV-5-SLB

ISMAEIL MOHAMMED ABU SALIM,

Petitioner-Appellant,

versus

UNITED STATES DEPARTMENT OF HOMELAND  
SECURITY, U.S. CITIZENSHIP AND IMMIGRATION  
SERVICES,

Respondents-Appellees.

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Appeal from the United States District Court  
for the Northern District of Alabama

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(May 28, 2010)

Before MARCUS, MARTIN and HILL, Circuit Judges.

PER CURIAM:

This is an appeal by Ismaeil Mohammed Abu Salim (Salim), a native and citizen of Jordan, and a lawful permanent resident of the United States, from the grant of summary judgment by the district court in favor of the Department of Homeland Security, United States Citizenship and Immigration Services (USCIS), and the dismissal by the district court of Salim's petition for review of his application for naturalization. Under a *de novo* review, the district court found that Salim had failed to meet his burden of showing that he met the good moral character requirement for naturalization. 8 U.S.C. § 1421(g); 8 U.S.C. § 1427(a)(3).

By administrative order, the USCIS initially denied Salim's application for naturalization for lack of good moral character based upon his conviction for selling alcohol to a minor. For this offense, Salim received a suspended sentence and twelve months' unsupervised probation. This conviction occurred within five years immediately preceding the date of filing the application for naturalization. *See* 8 U.S.C. § 1427(a)(1).

The district court agreed, finding that Salim did not submit any evidence of extenuating circumstances for his unlawful acts. It granted USCIS' motion for

summary judgment.

We have carefully reviewed the record in this case, the briefs and the arguments of counsel. Finding no error, the judgment of the district court is affirmed.

AFFIRMED.