

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAY 27 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ROSA MARIA CASARRUBIAS;
FRANCISCO JAVIER CASARRUBIAS
ZAMORA,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-75338

Agency Nos. A075-762-912
A075-762-913

MEMORANDUM*

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

Submitted May 12, 2009**

Before: PREGERSON, CANBY, and BERZON, Circuit Judges.

Rosa Maria Casarrubias and Francisco Javier Casarrubias Zamora, wife and husband and natives and citizens of Mexico, petition pro se for review of the Board

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

of Immigration Appeals' ("BIA") order dismissing their appeal from an immigration judge's decision denying their applications for cancellation of removal. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review de novo legal and constitutional issues, *Vasquez-Zavala v. Ashcroft*, 324 F.3d 1105, 1107 (9th Cir. 2003), and we deny the petition for review.

Petitioners' contention that the qualifying relative requirement for cancellation of removal violates equal protection is foreclosed by *Sandoval-Luna v. Mukasey*, 526 F.3d 1243, 1247 (9th Cir. 2008) (per curiam).

We reject petitioners' contention that review of their appeal by a single member of the BIA violated due process or their statutory right to an administrative appeal. See *Jiang v. Gonzales*, 425 F.3d 649, 654 (9th Cir. 2005) (rejecting statutory challenge to single-member affirmance); *Falcon Carriche v. Ashcroft*, 350 F.3d 845, 851 (9th Cir. 2003) (rejecting due process challenge).

PETITION FOR REVIEW DENIED.