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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ALIF DE LA CRUZ-OROZCO,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 08-73505

Agency No. A075-708-359

MEMORANDUM*

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

Submitted June 16, 2009**

Before: PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

Alif De La Cruz-Orozco, a native and citizen of Mexico, petitions pro se for review of the decision of the Board of Immigration Appeals summarily affirming the immigration judge's denial of petitioner's application for cancellation of

* 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).

removal based on petitioner's failure to establish the requisite hardship to his qualifying relatives.

Petitioner contends that the IJ erred by not allowing him sufficient time to prepare his case. Petitioner's claim that he was not afforded a full and fair hearing is not supported by the record, which shows that the IJ provided petitioner with ample time and opportunity to prepare his application. Petitioner, therefore, fails to present a colorable constitutional claim.

We lack jurisdiction to review the IJ's discretionary determination that petitioner failed to demonstrate hardship to his qualifying relatives. See *Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9thCir. 2005).

PETITION FOR REVIEW DISMISSED.