

FILED

No. 06-73857, *Sillah v. Holder*

SEP 03 2009

CLIFTON, Circuit Judge, concurring:

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

I concur in the judgment based on section II of the majority memorandum, with which I agree. I am not persuaded by the reasoning contained in section I of the majority memorandum, but that does not affect the outcome of this case.