

DEC 07 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RAKSM MEAS, a.k.a. Raskmy Meas,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 06-70994

Agency No. A025-274-291

MEMORANDUM\*

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

Submitted November 17, 2009\*\*

Before: ALARCÓN, TROTT, and TASHIMA, Circuit Judges.

Raksm Meas, a native and citizen of Cambodia, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's removal order. We have jurisdiction pursuant to 8 U.S.C. § 1252. We

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\* 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).

review de novo whether a particular offense is an aggravated felony, *Ngaeth v. Mukasey*, 545 F.3d 796, 800 (9th Cir. 2008) (per curiam), and we deny the petition for review.

The agency properly determined that Meas' conviction under California Penal Code § 459, for which he was sentenced to sixteen months imprisonment, constitutes an aggravated felony under 8 U.S.C. § 1101(a)(43)(G) and (U), where the record of conviction establishes that Meas pled guilty to "enter[ing a] locked car to steal." *See Ngaeth*, 545 F.3d at 802 (conviction for entering a locked vehicle with the intent to commit theft constitutes an attempted theft offense for purposes of the aggravated felony definition).

**PETITION FOR REVIEW DENIED.**