

DEC 07 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>RAKSM MEAS, a.k.a. Raskmy Meas,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

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

* 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.