

DEC 14 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>BILLA SINGH, aka Makhan Singh,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p>Respondent.</p>
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No. 05-73743

Agency Nos. A073-419-361
A072-475-044

MEMORANDUM*

On Petition for Review of an Order of the
Immigration Court

Submitted November 17, 2009**

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

Billa Singh, a native and citizen of India, petitions for review of an immigration judge’s (“IJ”) exclusion order. We dismiss the petition for lack of jurisdiction.

* 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).

We lack jurisdiction over Singh's contentions that the IJ's November 29, 1994, exclusion order is not valid because Singh failed to exhaust his administrative remedies. *See* 8 U.S.C. § 1252(d)(1); *Puga v. Chertoff*, 488 F.3d 812, 815 (9th Cir. 2007).

To the extent Singh is challenging the government's decision to execute the exclusion order, we lack jurisdiction. *See* 8 U.S.C. § 1252(g).

In light of our disposition, Singh's motion to supplement the record is moot.

PETITION FOR REVIEW DISMISSED.