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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIO HERNANDEZ ORTIZ,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-72078

Agency No. A095-399-206

MEMORANDUM*

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

Submitted January 11, 2010**

Before: BEEZER, TROTT, and BYBEE, Circuit Judges.

Mario Hernandez Ortiz, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's order denying his application for cancellation of removal.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes that this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss the petition for review.

We lack jurisdiction to review the BIA's discretionary determination that Hernandez Ortiz lacked good moral character pursuant to the catch-all provision at 8 U.S.C. § 1101(f). *Lopez-Castellanos v. Gonzales*, 437 F.3d 848, 854 (9th Cir. 2006). Because our resolution of this issue is dispositive, we need not reach his constitutional claims regarding the BIA's hardship determination.

PETITION FOR REVIEW DISMISSED.