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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LEOPOLDO NEGRETE HERNANDEZ, Petitioner, v. ERIC H. HOLDER Jr., Attorney General, Respondent.	No. 07-73937 Agency No. A074-790-819 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.

Leopoldo Negrete Hernandez, a native and citizen of Mexico, petitions for review of an order of the Board of Immigration Appeals dismissing his appeal of an immigration judge's ("IJ") decision denying his application for cancellation of

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

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removal. We have jurisdiction under 8 U.S.C. § 1252. We review de novo claims of due process violations in immigration proceedings. *Ibarra-Flores v. Gonzales*, 439 F.3d 614, 620 (9th Cir. 2006). We deny the petition for review.

Negrete contends the IJ violated due process by excluding a letter from a doctor describing the environmental pollution in Ecatepec, Mexico. Contrary to Negrete's contention, the proceedings were not "so fundamentally unfair that [he] was prevented from reasonably presenting his case." *Colmenar v. INS*, 210 F.3d 967, 971 (9th Cir. 2000) (citation omitted). Moreover, Negrete failed to demonstrate that consideration of the letter may have affected the outcome of the proceedings. *See id*. (requiring prejudice to prevail on a due process challenge).

PETITION FOR REVIEW DENIED.