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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MANOLITO DILAG,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p>Respondent.</p>

No. 07-74147

Agency No. A042-825-432

MEMORANDUM*

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

Submitted February 16, 2010**

Before: FERNANDEZ, GOULD, and M. SMITH, Circuit Judges.

Manolito Dilag, native and citizen of the Philippines, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s (“IJ”) decision deeming his 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 this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

application waived. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review de novo questions of law. *Altamirano v. Gonzales*, 427 F.3d 586, 591 (9th Cir. 2005). We deny the petition for review.

The agency properly determined that Dilag waived his application for cancellation of removal where he failed to file it within the time limit set by the IJ. *See* 8 C.F.R. § 1003.31(c) (authorizing the IJ to set filing deadlines and to deem waived any application not filed by the deadline).

Dilag's remaining contentions are unavailing.

PETITION FOR REVIEW DENIED.