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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

IGNACIO LOPEZ-RUIZ,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-72938

Agency No. A019-137-423

MEMORANDUM*

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

Submitted March 16, 2010**

Before: SCHROEDER, PREGERSON, and RAWLINSON, Circuit Judges.

Ignacio Lopez-Ruiz, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's denial of his application for cancellation of removal. We have

* 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).

jurisdiction pursuant to 8 U.S.C. § 1252. We review de novo questions of law. *Cazarez-Gutierrez v. Ashcroft*, 382 F.3d 905, 909 (9th Cir. 2004). We deny the petition for review.

Lopez-Ruiz's contention that his conviction under Cal. Health & Safety Code § 11358 is not an aggravated felony is foreclosed by *United States v. Reveles-Espinoza*, 522 F.3d 1044, 1047-48 (9th Cir. 2008). The agency properly concluded that Lopez-Ruiz was not eligible for cancellation of removal. 8 U.S.C. § 1229b(a)(3).

PETITION FOR REVIEW DENIED.