

MAR 24 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

YUAN FU SUN,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-75100

Agency No. A042-105-349

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.

Yuan Fu Sun, a native and citizen of Taiwan, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's removal order. We have jurisdiction pursuant to 8 U.S.C. § 1252. We

* 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).

review for substantial evidence the agency's factual findings. *Khodagholian v. Ashcroft*, 335 F.3d 1003, 1006 (9th Cir. 2003). We deny the petition for review.

Substantial evidence supports the agency's determination that Sun abandoned his lawful permanent resident status because the record does not compel the conclusion that he harbored a continuous, uninterrupted intention to return to the United States during the entirety of his 15-year absence. *Id.* at 1007.

PETITION FOR REVIEW DENIED.