

APR 13 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ESTELA PEREZ VAZQUEZ,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 06-74634

Agency No. A096-052-289

MEMORANDUM*

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

Submitted April 5, 2010**

Before: RYMER, McKEOWN, and PAEZ, Circuit Judges.

Estela Perez Vazquez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's ("IJ") decision denying her application for cancellation of

* 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).

removal. We have jurisdiction pursuant to 8 U.S.C. § 1252. *Gomez-Lopez v. Ashcroft*, 393 F.3d 882, 884 (9th Cir. 2005). We review for substantial evidence the agency's factual findings. *Ramos v. INS*, 246 F.3d 1264, 1266 (9th Cir. 2001). We deny the petition for review.

The agency appropriately placed the burden on Perez Vazquez to establish eligibility for relief from removal, and substantial evidence supports the BIA's conclusion that Perez Vazquez failed to meet her burden to establish eligibility for cancellation of removal. *See* 8 U.S.C. § 1229a(c)(4).

Perez Vazquez's claim that the IJ prematurely terminated proceedings after she invoked her Fifth Amendment rights is not supported by the record.

PETITION FOR REVIEW DENIED.