

APR 16 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JESUS BALTAZAR RAMIREZ-LEON,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p>Respondent.</p>
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No. 07-72765

Agency No. A070-737-439

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.

Jesus Baltazar Ramirez-Leon, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for adjustment 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).

status. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review de novo questions of law, *Vasquez-Zavala v. Ashcroft*, 324 F.3d 1105, 1107 (9th Cir. 2003), and we deny the petition for review.

The BIA properly denied Ramirez-Leon's application for relief because he failed to depart within the voluntary departure period after receiving adequate notice of the penalties for failure to do so. *See* 8 U.S.C. § 1229c(d)(1)(B) (failure to depart voluntarily within the time period results in a ten-year bar to certain forms of relief, including adjustment of status); *De Martinez v. Ashcroft*, 374 F.3d 759, 762 (9th Cir. 2004) (BIA's written notice of the penalties for failure to depart is adequate under 8 U.S.C. § 1229c(d)).

Ramirez-Leon's remaining contentions are not persuasive.

PETITION FOR REVIEW DENIED.