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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ADRIAN RUIZ GARCIA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-71286

Agency No. A075-247-060

MEMORANDUM\*

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

Submitted May 25, 2010\*\*

Before: CANBY, THOMAS, and W. FLETCHER, Circuit Judges.

Adrian Ruiz Garcia, 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 suspension of deportation. We dismiss the petition for review.

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\* 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).

We lack jurisdiction to review the BIA's discretionary determination that Ruiz Garcia failed to make the requisite showing of extreme hardship to be eligible for suspension of deportation. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 929-30 (9th Cir. 2005); *Kalaw v. INS*, 133 F.3d 1147, 1151-52 (9th Cir. 1997), *superseded by statute on other grounds as stated in Trejo-Mejia v. Holder*, 593 F.3d 913 (9th Cir. 2010). In addition, we lack jurisdiction over Ruiz Garcia's contentions that the BIA failed to consider the hardship evidence cumulatively and disregarded precedent because they are not supported by the record and do not amount to colorable constitutional claims. *See Mendez-Castro v. Mukasey*, 552 F.3d 975, 980 (9th Cir. 2009).

**PETITION FOR REVIEW DISMISSED.**