

JUN 01 2010

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>RAUL E. MONTERROSA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
--

No. 07-74078

Agency No. A092-864-462

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.

Raul E. Monterrosa, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing his appeal from an immigration judge’s order of removal. Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo questions of law, including due process claims,

---

\* 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).

*Mohammed v. Gonzales*, 400 F.3d 785, 791-92 (9th Cir. 2005), and we dismiss in part and deny in part the petition for review.

We lack jurisdiction to review the BIA’s discretionary denial of Monterrosa’s application for relief under section 212(c) of the Immigration and Nationality Act. *See* 8 U.S.C. § 1252(a)(2)(B)(ii); *Vargas-Hernandez v. Gonzales*, 497 F.3d 919, 923 (9th Cir. 2007) (“Discretionary decisions, including whether or not to grant § 212(c) relief, are not reviewable.”).

Monterrosa’s contention that the BIA applied an incorrect legal standard in adjudicating his application for section 212(c) relief is not persuasive. His remaining contentions regarding agency bias are not supported by the record.

**PETITION FOR REVIEW DISMISSED in part; DENIED in part.**