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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ANDRES D. HERRERA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 08-72521

Agency No. A071-596-284

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.

Andres D. Herrera, a native and citizen of Guatemala, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's order of removal. We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition for review.

* 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).

In his opening brief, Herrera fails to address, and therefore has waived, any challenge to the BIA's dispositive determinations that he failed to establish good moral character, *see* 8 C.F.R. § 1240.66(b)(3), as required for special rule cancellation of removal, or eligibility for asylum, withholding of removal or relief under the Convention Against Torture. *See Husyev v. Mukasey*, 528 F.3d 1172, 1183 (9th Cir. 2008).

PETITION FOR REVIEW DENIED.