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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JANAK SINGH,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 07-74202

Agency No. A090-004-557

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.

Janak Singh, a native and citizen of India, petitions for review of the Board of Immigration Appeals' order affirming an immigration judge's removal order.

We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law,

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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).

*Aguilar Gonzalez v. Mukasey*, 534 F.3d 1204, 1208 (9th Cir. 2008), and we deny the petition for review.

We reject Singh's contention that the Department of Homeland Security ("DHS") violated the confidentiality provisions of the Immigration Reform and Control Act of 1986, 8 U.S.C. § 1255a(c)(5), by reviewing Singh's legalization application before initiating proceedings against him. It is undisputed that DHS discovered Singh's identity and non-citizen status during a raid that was unrelated to his legalization application. DHS did not violate the confidentiality provision when it subsequently verified the denial of Singh's legalization application. *See* 8 U.S.C. § 1255a(c)(5)(D)(i) (information derived from the legalization application that is not available from any other source, other than information furnished by an applicant, may be used for the purposes of immigration enforcement).

Singh's remaining contention lacks merit.

**PETITION FOR REVIEW DENIED.**