

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

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

PORFIRIO ANGELES-MARTINEZ,
a.k.a. Porfirio Angelas-Martinez,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 07-74732

Agency No. A020-566-679

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.

Porfirio Angeles-Martinez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's removal order. We have jurisdiction under 8 U.S.C. § 1252.

* 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 review de novo questions of law, *Husyev v. Mukasey*, 528 F.3d 1172, 1177 (9th Cir. 2008), and we deny the petition for review.

The record establishes that Angeles-Martinez was convicted of possession of marijuana for sale in violation of California Health & Safety Code § 11359. *See* 8 U.S.C. §§ 1101(a)(48)(A), 1229a(c)(3)(B)(v). The agency therefore properly concluded that Angeles-Martinez is inadmissible under 8 U.S.C. § 1182(a)(2)(A)(i)(II) and ineligible for a waiver of inadmissibility under section 212(h) of the Immigration and Nationality Act or cancellation of removal. *See* 8 U.S.C. §§ 1182(h), 1229b(b)(1)(C).

As this conclusion is dispositive, we do not address Angeles-Martinez's remaining contentions.

PETITION FOR REVIEW DENIED.