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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MELECIO PEREZ, a.k.a. Manuel Rivera
Espinoza,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-73980

Agency No. A076-662-324

MEMORANDUM*

On Petition for Review of an Order of the
Department of Homeland Security

Submitted May 25, 2010**

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

Melecio Perez, a native and citizen of Mexico, petitions for review of the Department of Homeland Security's order reinstating his 1997 expedited removal order under 8 U.S.C. § 1231(a)(5). We dismiss 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).

We lack jurisdiction to consider Perez's collateral challenge to his prior expedited removal order. *Garcia de Rincon v. Dep't of Homeland Sec.*, 539 F.3d 1133, 1139 (9th Cir. 2008); *see also* 8 U.S.C. § 1252(e) (judicial review of expedited removal orders available only in habeas corpus proceedings).

PETITION FOR REVIEW DISMISSED.