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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PARWINDER KAUR SIAN,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-70122

Agency No. A077-844-660

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.

Parwinder Kaur Sian, a native and citizen of India, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's ("IJ") decision denying her application for adjustment of

* 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).

status. Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo due process claims. *See Ram v. INS*, 243 F.3d 510, 516 (9th Cir. 2001). We dismiss in part and deny in part the petition for review.

We lack jurisdiction to review Sian's contention that the IJ cited an incorrect legal standard in denying her waiver of inadmissibility because she failed to raise that issue before the BIA and thereby failed to exhaust her administrative remedies.

See Barron v. Ashcroft, 358 F.3d 674, 678 (9th Cir. 2004) (this court lacks jurisdiction to review contentions not raised before the agency).

Sian's contention that the IJ violated the law by relying on an improper alternative basis to deny her waiver application is not supported by the record.

PETITION FOR REVIEW DISMISSED in part; DENIED in part.