

JUN 03 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ANASTACIO GALVAN-FELIX,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p>Respondent.</p>

No. 09-70008

Agency No. A074-083-189

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted May 25, 2010**
San Francisco, California

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

Anastacio Galvan-Felix a native and citizen of Mexico, petitions pro se for review of the decision of the Board of Immigration Appeals’ denying his motion to reconsider the underlying denial of his application for cancellation of relief based

* 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).

on his failure to establish the requisite hardship to a qualifying relative. The BIA denied the motion as untimely.

Galvan-Felix contends that the BIA erred by not finding exceptional and extremely unusual hardship to his United States citizen wife. Galvan-Felix also contends that his due process rights were violated.

Galvan-Felix has not raised any challenges to the BIA's denial of his motion to reconsider as untimely, and therefore he has waived any challenge to that decision. *See Martinez-Rios v. Holder*, 94 F.3d 1256, 1259 (9th Cir. 1996) (issues not supported by argument in a brief are deemed abandoned).

PETITION FOR REVIEW DISMISSED in part; DENIED in part.