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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JORGE MARTIN VALDIVIESO
CALDERON; et al.,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,*

Respondent.

No. 08-71684

Agency Nos. A073-972-620
A073-972-777

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.

Jorge Martin Valdivieso Calderon and Maria Luisa Esquivel Reyes, natives
and citizens of Mexico, seek review of a Board of Immigration Appeals order

* Eric H. Holder, Jr., is substituted for his predecessor, Michael B. Mukasey, as Attorney General of the United States. Fed. R. App. P. 43(c)(2).

* 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).

dismissing their appeal from an immigration judge's (IJ) denial of their application for cancellation of removal. We dismiss the petition for review.

We lack jurisdiction to review the agency's discretionary determination that petitioners failed to show exceptional and extremely unusual hardship to their U.S. citizen children. 8 U.S.C. § 1252(a)(2)(B); *Mendez-Castro v. Mukasey*, 552 F.3d 975, 979 (9th Cir. 2009).

Petitioners' contentions, that the Board failed to properly consider and weigh all evidence of hardship or consider the IJ's alleged failure to properly evaluate the evidence because the Board did not specifically address petitioners' contentions in its decision, do not raise a colorable due process claim. *Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

PETITION FOR REVIEW DISMISSED.