

JUN 10 2010

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SATURNINO SANDOVAL,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-74646

Agency No. A090-817-774

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.

Saturnino Sandoval, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision finding him removable. We have jurisdiction under

* 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).

8 U.S.C. § 1252. We review de novo questions of law, *Delgado-Hernandez v. Holder*, 582 F.3d 930, 932 (9th Cir. 2009) (per curiam), and we deny the petition for review.

The agency properly determined that Sandoval is removable as an aggravated felon under 8 U.S.C. § 1227(a)(2)(A)(iii) because his conviction under California Penal Code § 207(a) for kidnapping is a crime of violence as defined by 8 U.S.C. § 1101(a)(43)(F). *See id.* at 933 (kidnapping is categorically a crime of violence under 18 U.S.C. § 16(b) because “all kidnapping cases carry a substantial risk that force will be used”).

PETITION FOR REVIEW DENIED.