

JUN 11 2010

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

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

EDGAR AGBAYANI AGBAYANI,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney
General,

Respondent.

No. 06-72906

Agency No. A023-127-060

MEMORANDUM*

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

Submission Deferred May 5, 2009

Submitted June 11, 2010**

San Francisco, California

Before: **KOZINSKI**, Chief Judge, **BYBEE** and **CALLAHAN**, Circuit
Judges.

* 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), and orders the case submitted contemporaneously with the filing of this disposition.

The BIA did not err by concluding that petitioner is ineligible for relief under former section 212(c) of the INA. See Abebe v. Mukasey, 554 F.3d 1203, 1205–07 (9th Cir. 2009) (en banc).

DENIED.