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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>YU WANG,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 08-70113

Agency No. A056-570-302

MEMORANDUM*

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

Submitted June 29, 2010**

Before: ALARCÓN, LEAVY, and GRABER, Circuit Judges.

Yu Wang, a native and citizen of China, petitions for review of the Board of Immigration Appeals’ order dismissing her appeal from an immigration judge’s removal order. We have jurisdiction under 8 U.S.C. § 1252. Reviewing “whether

* 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).

substantial evidence supports a finding by clear and convincing evidence” that petitioner is removable, *Nakamoto v. Ashcroft*, 363 F.3d 874, 881-82 (9th Cir. 2004), we deny the petition for review.

Substantial evidence supports the agency’s conclusion that Wang entered her marriage for the purpose of procuring an immigration benefit where Wang’s citizen-spouse testified that their marriage was never consummated and where Wang and her citizen-spouse never lived together in the United States. *See id.* at 882-83 (relevant inquiry is whether parties intended to establish a life together at the time of marriage).

Wang’s remaining contentions are unavailing.

PETITION FOR REVIEW DENIED.
