

AUG 12 2010

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

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

IQBAL SINGH,

Petitioner,

v.

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

Respondent.

No. 09-72231

Agency No. A043-151-008

MEMORANDUM*

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

Submitted August 2, 2010**
Pasadena, California

Before: **KOZINSKI**, Chief Judge, **REINHARDT**, Circuit Judge and
WHYTE, District Judge.***

* 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).

*** The Honorable Ronald M. Whyte, Senior United States District Judge for the Northern District of California, sitting by designation.

The BIA did not err in finding Singh removable because his robbery conviction under California Penal Code § 212.5(c) is a categorical crime of violence under 8 U.S.C. § 1101(a)(43)(F). See Nieves-Medrano v. Holder, 590 F.3d 1057, 1057–58 (9th Cir. 2010).

Singh’s removal to India moots his claim that he is entitled to protection from removal under the Convention Against Torture. See Hose v. INS, 180 F.3d 992, 996 (9th Cir. 1999) (en banc).

Even assuming that Singh’s due process rights were violated when immigration officials failed to transport him to his state post-conviction relief hearing, he has failed to show that the violation “potentially . . . affect[ed] the outcome of the proceedings.” Reyes-Melendez v. INS, 342 F.3d 1001, 1007 (9th Cir. 2003) (alteration and omission in original) (internal quotation marks omitted).

PETITION DENIED.