

SEP 21 2010

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GLORIA HERNANDEZ MARTINEZ,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 06-71010

Agency No. A079-544-164

MEMORANDUM*

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

Submitted September 13, 2010 **

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

Gloria Hernandez Martinez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' decision summarily affirming the

* 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).

immigration judge's denial of her application for cancellation of removal based on her failure to establish the requisite hardship to her qualifying relatives.

Hernandez Martinez contends that the agency erred in finding that her qualifying relatives will not suffer hardship if she is removed. We lack jurisdiction to review the agency's discretionary determination that petitioner failed to show exceptional and extremely unusual hardship to a qualifying relative. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

PETITION FOR REVIEW DISMISSED.