

SEP 24 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LEONCIO REYES-RIVAS,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-71624

Agency No. A072-531-554

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.

Leoncio Reyes-Rivas, a native and citizen of El Salvador, petitions pro se for review of the Board of Immigration Appeals' order affirming an immigration judge's decision denying his application for voluntary departure as a matter of

* 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).

discretion. We have jurisdiction under 8 U.S.C. § 1252. We dismiss the petition for review.

We lack jurisdiction to review the agency's determination that Reyes-Rivas did not merit voluntary departure as a matter of discretion. *See* 8 U.S.C. § 1229c(f) (“No court shall have jurisdiction over an appeal from denial of a request for an order of voluntary departure”); *Gomez-Lopez v. Ashcroft*, 393 F.3d 882, 884 (9th Cir. 2005).

PETITION FOR REVIEW DISMISSED.