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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>KAMALDEEP KAUR SANDHU,</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>

Nos. 07-72850
07-74203

Agency No. A075-695-238

MEMORANDUM*

On Petitions for Review of Orders of the
Board of Immigration Appeals

Submitted October 19, 2010**

Before: O’SCANNLAIN, TALLMAN, and BEA, Circuit Judges.

In these consolidated petitions, Kamaldeep Kaur Sandhu, a native and citizen of India, petitions for review of the Board of Immigration Appeals’ (“BIA”) orders dismissing her appeal from an immigration judge’s (“IJ”) removal order and denying her motion to reopen. We have jurisdiction under 8 U.S.C. § 1252. We

* 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).

review for substantial evidence the agency's finding of removability, *Nakamoto v. Ashcroft*, 363 F.3d 874, 881 (9th Cir. 2004), and review de novo questions of law, *Mohammed v. Gonzales*, 400 F.3d 785, 791 (9th Cir. 2005). We deny the petitions for review.

Substantial evidence supports the agency's determination that the government met its burden of proving Sandhu was removable under 8 U.S.C. § 1227(a)(1)(A) for being inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i) at the time of entry where the evidence before the IJ included her sworn affidavit admitting she had married her brother-in-law in order to enter the United States and an approved fiancée visa petition filed on her behalf by her brother-in-law. *See* 8 U.S.C. § 1229a(c)(3)(A). The admission of her sworn affidavit was not fundamentally unfair. *See Espinoza v. INS*, 45 F.3d 308, 309 (9th Cir. 1995); *Cuevas-Ortega v. INS*, 588 F.2d 1274, 1277-78 (9th Cir. 1979).

Sandhu has waived challenge to the BIA's October 16, 2007, order denying her motion to reopen.

PETITIONS FOR REVIEW DENIED.