

OCT 27 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>NGOC ANH THI LE; DUY PHUONG LE DO</p> <p>Petitioners,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 08-72681

Agency Nos. A046-497-155
A046-497-157

MEMORANDUM*

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

Submitted October 19, 2010 **

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

Ngoc Anh Thi Le and her son, Duy Phuong Le Do, natives and citizens of Vietnam, petition the Board of Immigration Appeals' order dismissing their appeal from an immigration judge's removal order. We have jurisdiction under 8 U.S.C.

* 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).

§ 1252. We review for substantial evidence, *Damon v. Ashcroft*, 360 F.3d 1084, 1088 (9th Cir. 2004), and we deny the petition for review.

Substantial evidence supports the agency's determination that Le failed to satisfy her burden of establishing that she entered into a good faith marriage, where the evidence indicates Le and her former spouse had limited joint assets and only lived together for four months. *Cf. id.* at 1088-89 (evidence of shared finances and a year-long shared residency was substantial evidence that couple intended to establish a life together at the time they were married); *see also* 8 C.F.R.

§ 216.5(e)(2)(i)-(iv).

PETITION FOR REVIEW DENIED.