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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>RAMON MONDRAGON-RODRIGUEZ, a.k.a. Ramon Mondragon Rodriguez,</p> <p style="text-align: center;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 07-73854

Agency No. A091-745-184

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.

Ramon Mondragon-Rodriguez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s removal order. Our jurisdiction is governed by 8 U.S.C.

§ 1252. We review de novo questions of law, *Cerezo v. Mukasey*, 512 F.3d 1163,

* 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).

1166 (9th Cir. 2008), and we deny in part and dismiss in part the petition for review.

Because Mondragon-Rodriguez failed to demonstrate a gross miscarriage of justice at his prior proceedings, he may not collaterally attack his 2000 deportation order. See *Ramirez-Juarez v. INS*, 633 F.2d 174, 175-76 (9th Cir. 1980) (per curiam) (“This court has consistently held that an alien cannot collaterally attack an earlier exclusion or deportation at a subsequent deportation hearing, in the absence of a gross miscarriage of justice at the prior proceedings.”); *Alvarenga-Villalobos v. Ashcroft*, 271 F.3d 1169, 1172-73 (9th Cir. 2001) (deportation order under a given rule of law may withstand subsequent judicial change in that rule).

The agency did not err in determining Mondragon-Rodriguez was ineligible for cancellation of removal where his 2000 deportation order terminated his status as a lawful permanent resident. See 8 U.S.C. §§ 1101(a)(20), 1229b(a)(1).

We lack jurisdiction to review the agency’s denial of Mondragon-Rodriguez’s request for voluntary departure. See 8 U.S.C. § 1229c(f); *Alvarez-Santos v. INS*, 332 F.3d 1245, 1255 (9th Cir. 2003).

PETITION FOR REVIEW DENIED in part; DISMISSED in part.