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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>FRANCISCO JAVIER OREA- BARBOSA,</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>
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No. 08-73401

Agency No. A094-811-279

MEMORANDUM*

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

Submitted October 19, 2010**

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

Francisco Javier Orea-Barbosa, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s decision denying his application for cancellation of removal.

We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law,

* 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).

Castillo-Cruz v. Holder, 581 F.3d 1154, 1158-59 (9th Cir. 2009), and we deny the petition for review.

The agency properly concluded that Orea-Barbosa was statutorily ineligible for cancellation of removal because his conviction constituted a crime of domestic violence. *Banuelos-Ayon v. Holder*, 611 F.3d 1080, 1083 (9th Cir. 2010) (conviction under California Penal Code § 273.5 categorically a crime of violence). His remaining contentions are unavailing. *See Vasquez-Hernandez v. Holder*, 590 F.3d 1053, 1056-57 (9th Cir. 2010); *see also Sanchez v. Holder*, 560 F.3d 1028, 1032 (9th Cir. 2009) (“A statute giving the Attorney General discretion to grant relief from *inadmissibility* does not give the Attorney General discretion to grant relief from *removal*.”) (emphasis in original).

PETITION FOR REVIEW DENIED.