

DEC 27 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JORGE SOLORIO-SERVIN,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 07-71069

Agency No. A095-667-962

MEMORANDUM\*

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

Submitted December 14, 2010\*\*

Before: GOODWIN, WALLACE, and W. FLETCHER, Circuit Judges.

Jorge Solorio-Servin, a native and citizen of Mexico, petitions pro se 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,

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\* 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.

Solorio-Servin's contention that his conviction for violating Cal. Penal Code § 273.5(a) is not a crime of domestic violence under 8 U.S.C. § 1227(a)(2)(E)(i) because the statute of conviction encompasses minimal, non-violent touchings is foreclosed by *Banuelos-Ayon v. Holder*, 611 F.3d 1080, 1086 (9th Cir. 2010). Solorio-Servin is therefore statutorily ineligible for cancellation of removal. *See* 8 U.S.C. § 1229b(b)(1)(C).

**PETITION FOR REVIEW DENIED.**