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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>FLOR DE MARIA OROPEZA SALAS,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 09-70439

Agency No. A096-357-000

MEMORANDUM*

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

Submitted December 14, 2010**

Before: GOODWIN, WALLACE, and THOMAS, Circuit Judges.

Flor de Maria Oropeza Salas, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's removal order. We have jurisdiction under 8 U.S.C. § 1252.

* 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).

We review de novo questions of law, including whether a conviction qualifies as a crime involving moral turpitude. *See Galeana-Mendoza v. Gonzales*, 465 F.3d 1054, 1056-57 (9th Cir. 2006). We deny the petition for review.

Oropeza Salas has waived any challenge to the agency's determination that she is statutorily ineligible for cancellation of removal based on two convictions for crimes involving moral turpitude. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues not specifically raised and argued in a party's opening brief are waived).

We do not consider Oropeza Salas' contentions regarding physical presence, moral character and hardship because her failure to establish statutory eligibility based on her convictions is dispositive.

Oropeza Salas is statutorily ineligible for voluntary departure because she was convicted of a crime involving moral turpitude committed during the five-year period preceding her application. *See* 8 U.S.C. § 1101(f)(3); *see also* 8 U.S.C. § 1182(a)(2)(A)(i).

We grant Oropeza Salas' counsel's motion to withdraw as attorney of record. The Clerk shall amend the docket to reflect that Oropeza Salas is proceeding pro se. The Clerk shall serve this order on Oropeza Salas at the address

provided in the certificate of service: 1402 San Pascual St. #14, Santa Barbara, CA
93101.

PETITION FOR REVIEW DENIED.