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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JOSE JULIO HUERTA GUERRERO,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 09-70714

Agency No. A079-165-365

MEMORANDUM*

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

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Jose Julio Huerta Guerrero, 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 constitutional

* 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).

claims de novo, *Ram v. INS*, 243 F.3d 510, 516 (9th Cir. 2001), and we deny the petition for review.

We reject Huerta Guerrero's contention that his equal protection and due process rights were violated because he should have been allowed to apply for suspension of deportation relief. *See Vasquez-Zavala v. Ashcroft*, 324 F.3d 1105, 1108-09 (9th Cir. 2003) (Congress comported with equal protection and due process when it repealed suspension of deportation for aliens placed in removal proceedings on or after April 1, 1997); *Jimenez-Angeles v. Ashcroft*, 291 F.3d 594, 602-03 (9th Cir. 2002) (line-drawing decisions made by Congress or the Executive Branch in immigration matters must be upheld if they are rationally related to a legitimate government purpose).

PETITION FOR REVIEW DENIED.