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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOSE LUIS CARREON-LUGO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-72549

Agency No. A097-469-142

MEMORANDUM\*

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

Submitted March 8, 2011\*\*

Before: FARRIS, LEAVY, and BYBEE, Circuit Judges.

Jose Luis Carreon-Lugo, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order sustaining the government's appeal from an immigration judge's decision granting his application for cancellation of removal. Our jurisdiction is governed by 8 U.S.C. § 1252. We

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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).

review de novo questions of law, *Hernandez v. Mukasey*, 524 F.3d 1014, 1017 (9th Cir. 2008), and we dismiss in part and deny in part the petition for review.

We lack jurisdiction to review the BIA's discretionary determination that Carreon-Lugo failed to show that his removal would result in exceptional and extremely unusual hardship to his qualifying relatives. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005). Carreon-Lugo's contentions that the BIA engaged in improper factfinding, failed to consider all the evidence, and failed to consider the cumulative impact of his hardship evidence are not supported by the record and do not amount to colorable legal or constitutional claims. *See Mendez-Castro v. Mukasey*, 552 F.3d 975, 980 (9th Cir. 2009); *see also* 8 C.F.R. § 1003.1(d)(3)(ii) (BIA may review questions of law, discretion, and judgment de novo).

Contrary to Carreon-Lugo's contention, the BIA's interpretation of the hardship standard falls within the broad range authorized by the statute. *See* 8 U.S.C. § 1229b(b)(1)(D); *Ramirez-Perez v. Ashcroft*, 336 F.3d 1001, 1004-06 (9th Cir. 2003).

Carreon-Lugo's claim that the government's appeal to the BIA was defective is not supported by the record.

Carreon-Lugo's remaining contention is not persuasive.

**PETITION FOR REVIEW DISMISSED in part; DENIED in part.**