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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

GLORIA VILLAFAN,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-70311

Agency No. A094-811-650

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.

Gloria Villafan, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's ("IJ") decision denying her application for cancellation of removal and denying her motion to remand. We have jurisdiction under

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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).

8 U.S.C. §1252. We review de novo questions of law, *Iturribarria v. INS*, 321 F.3d 889, 894 (9th Cir. 2003), and we deny the petition for review.

The BIA used the correct hardship standard in analyzing Villafan's cancellation of removal application. *See* 8 U.S.C. § 1229b(b)(1)(D).

We need not reach Villafan's challenges to the IJ's decision because the BIA reviewed the decision de novo. *See Brezilien v. Holder*, 569 F.3d 403, 411 (9th Cir. 2009) ("Any error committed by the IJ will be rendered harmless by the Board's application of the correct legal standard.").

**PETITION FOR REVIEW DENIED.**