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U.S. COURT OF APPEALS

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIA CRISTINA ALDACO-DE CARRANZA, a.k.a. Maria Cristina Aldaco, a.k.a. Maria Cristina Aldaco-Elias, Petitioner, v. ERIC H. HOLDER, Jr., Attorney General, Respondent.	No. 08-73145 Agency No. A043-951-692 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.

Maria Cristina Aldaco-De Carranza, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing

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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).

her appeal from an immigration judge's removal order. Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo claims of constitutional violations in immigration proceedings. *Ram v. INS*, 243 F.3d 510, 516 (9th Cir. 2001). We deny in part and dismiss in part the petition for review.

Contrary to Alcado-De Carranza's contention, Congress comported with equal protection when it repealed suspension of deportation and replaced it with cancellation of removal as the available form of relief for aliens who were placed in removal proceedings on or after April 1, 1997. *See Vasquez-Zavala v. Ashcroft*, 324 F.3d 1105, 1108 (9th Cir. 2003); *Hernandez-Mezquita v. Ashcroft*, 293 F.3d 1161, 1163-65 (9th Cir. 2002).

We do not consider Alcado-De Carranza's contentions regarding hardship and her convictions, because her failure to establish continuous physical presence is dispositive. *See* 8 U.S.C. § 1229b(b)(1)(A).

We lack jurisdiction to consider Aldaco-De Carranza's challenge to the BIA's October 8, 2008, order denying her motion to reopen because she did not timely petition for review of that order. *See* 8 U.S.C. § 1252(b)(1); *Singh v. INS*, 315 F.3d 1186, 1188 (9th Cir. 2003).

Joubin Nasseri's motion to withdraw as counsel for petitioner is granted. The Clerk shall change the docket to reflect that petitioner is proceeding pro se. Petitioner's address is: 1501 W. West Ave., Fullerton, CA 92883.

PETITION FOR REVIEW DENIED in part; DISMISSED in part.