

MAR 25 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>BONIFACIO SALADO BELLO,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 09-71411

Agency No. A072-124-435

MEMORANDUM*

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

Submitted March 8, 2011**

Before: FARRIS, O’SCANNLAIN, and BYBEE, Circuit Judges.

Bonifacio Salado Bello, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing his appeal from an immigration judge’s decision denying his application for cancellation of removal.

We dismiss the petition for review.

* 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 lack jurisdiction to review the agency's conclusion on discretionary grounds that Salado Bello lacks good moral character. *See Bazua-Cota v. Gonzales*, 466 F.3d 747, 749 (9th Cir. 2006) (abuse of discretion challenges to discretionary decisions, even if recast as due process claims, do not constitute colorable constitutional claims).

We also lack jurisdiction to consider Salado Bello's contentions that the agency denied him due process by failing to consider his positive equities and by not allowing his son to testify, because he failed to raise those issues before the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004); *Abebe v. Mukasey*, 554 F.3d 1203, 1208 (9th Cir. 2009) (en banc) (when a petitioner files a brief before the BIA, the petitioner will "be deemed to have exhausted only those issues he raised and argued in his brief before the BIA").

PETITION FOR REVIEW DISMISSED.