

MAR 28 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JUAN ESPINOZA HERRERA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 09-70966

Agency No. A074-425-639

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.

Juan Espinoza Herrera, a native and citizen of Mexico, petitions 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 for substantial evidence

* 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).

the agency's factual findings. *Ramos v. INS*, 246 F.3d 1264, 1266 (9th Cir. 2001).

We deny the petition for review.

Substantial evidence supports the agency's determination that Espinoza Herrera provided false testimony for the purpose of obtaining an immigration benefit, thereby rendering him unable to establish the requisite good moral character required for cancellation of removal. *See* 8 U.S.C. §§ 1101(f)(6), 1229b(b)(1)(B); *see also Ramos*, 246 F.3d at 1266.

PETITION FOR REVIEW DENIED.