

MAY 13 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>GUILLERMO ZAMORA,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 08-74206

Agency No. A076-213-649

MEMORANDUM*

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

Argued and Submitted May 5, 2011**
Pasadena, California

Before: SILVERMAN, TALLMAN, and CLIFTON, Circuit Judges.

Guillermo Zamora, a native and citizen of Mexico, petitions for review of a final order of removal. We deny in part and dismiss in part the petition for review.

We lack jurisdiction to consider Zamora’s current due process claims – issues which, if meritorious, the Board could have remedied – because he did not

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

raise those claims before the Board of Immigration Appeals. *Tall v. Mukasey*, 517 F.3d 1115, 1120 (9th Cir. 2008). Those claims are dismissed.

We have jurisdiction to consider removability because the Board addressed the issue. *Socop-Gonzalez v. INS*, 272 F.3d 1176, 1186 (9th Cir. 2001) (en banc). The immigration judge and the Board did not err in relying on Zamora's admissions – made during the pleading stage of his hearing – to each of the allegations in the notice to appear. *Perez-Mejia v. Holder*, No. 07-70118, 2011 WL 1496990, at *4-10 (9th Cir. Apr. 21, 2011). Because these admissions established Zamora's removability pursuant to 8 U.S.C. § 1227(a)(2)(B)(i) by clear and convincing evidence, we deny the petition for review. 8 C.F.R. § 1240.10(c)-(d).

PETITION FOR REVIEW DISMISSED IN PART AND DENIED IN PART.