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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>SANTIAGO ISAIS-PADILLA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 09-74040

Agency No. A076-734-839

MEMORANDUM\*

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

Submitted May 24, 2011\*\*

Before: PREGERSON, THOMAS, and PAEZ, Circuit Judges.

Santiago Isais-Padilla, 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 granting the government’s motion to terminate removal proceedings. We dismiss the petition for review.

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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).

Because an order terminating removal proceedings is not an order of removal, we lack jurisdiction over Isais-Padilla's petition for review. *See Alcala v. Holder*, 563 F.3d 1009, 1013 (9th Cir. 2009); *see also* 8 U.S.C. § 1252(b)(9) (“Judicial review of all questions of law and fact . . . shall be available only in judicial review of a final order [of removal].”).

To the extent Isais-Padilla contends that the court should exercise jurisdiction over his 1998 expedited removal order, this contention fails. *See* 8 U.S.C. § 1252(a)(2)(A)(i), (e)(2) (judicial review of an expedited removal order is restricted to limited habeas review before the district court); *Avendano-Ramirez v. Ashcroft*, 365 F.3d 813, 818-19 (9th Cir. 2004).

**PETITION FOR REVIEW DISMISSED.**