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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>HORTENCIA ORTEGA-FLORES,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 10-70133

Agency No. A078-243-454

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.

Hortencia Ortega-Flores, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ order dismissing her appeal from an immigration judge’s decision denying her 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 continuous physical presence determination. *Ibarra-Flores v. Gonzales*, 439 F.3d 614, 618 (9th Cir. 2006). We deny the petition for review.

Substantial evidence supports the agency's determination that Ortega-Flores did not meet the continuous physical presence requirement where the record includes a January 2000 Notice and Order of Expedited Removal as well as other government documents corroborating the expedited removal. *See Juarez-Ramos v. Gonzales*, 485 F.3d 509, 511 (9th Cir. 2007) (expedited removal order interrupts an alien's continuous physical presence for cancellation purposes); *see also In re Findley*, 593 F.3d 1048, 1050 (9th Cir. 2010) (the court is bound by prior panel opinions unless an en banc decision, Supreme Court decision or subsequent legislation undermines those decisions).

Ortega-Flores' remaining contentions are unavailing.

PETITION FOR REVIEW DENIED.