

SEP 21 2011

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

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

RITO VARGAS-MARQUEZ,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-71349

Agency No. A092-647-617

MEMORANDUM*

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

Submitted September 16, 2011**
San Francisco, California

Before: PAEZ, BERZON, and BEA, Circuit Judges.

Pursuant to this court's decision in *Ruben Reyes-Torres v. Holder*, 645 F.3d 1073 (9th Cir. 2011), the order of the Board of Immigration Appeals is vacated and the case is remanded to the Board for proceedings consistent with that opinion.

REMANDED.

* 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).