

SEP 21 2011

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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NOT FOR PUBLICATION  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.**

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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).