

OCT 6 2011

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

BYONG SEOL SONG, a.k.a. Byoung Song, a.k.a. Byoung Seoul Song; MI K SONG,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-73299

Agency Nos. A071-790-403  
A077-166-787

MEMORANDUM\*

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

Submitted September 27, 2011\*\*

Before: SILVERMAN, W. FLETCHER, and MURGUIA, Circuit Judges.

Byong Seol Song and Mi K Song, natives and citizens of South Korea, petition for review of the Board of Immigration Appeals' order dismissing their appeal from an immigration judge's removal order. Our jurisdiction is governed

---

\* 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).

by 8 U.S.C. § 1252. We review for substantial evidence the agency’s findings of fact. *Kim v. Holder*, 603 F.3d 1100, 1102 (9th Cir. 2010). We deny in part and dismiss in part the petition for review.

Substantial evidence supports the agency’s finding of removability by clear and convincing evidence. *See id.* at 1103.

Petitioners lack standing to assert their equal protection contention because “they do not belong to the class of returning [Lawful Permanent Residents] who are allegedly similarly situated to applicants for admission.” *Id.* at 1104.

Petitioners’ remaining contention is not persuasive.

**PETITION FOR REVIEW DENIED in part; DISMISSED in part.**