

OCT 7 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MAURICIO SANTOS,

 Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

 Respondent.

No. 09-71313

Agency No. A095-731-922

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.

Mauricio Santos, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s decision denying his application for relief under the

* 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).

Convention Against Torture (“CAT”). Our jurisdiction is governed by 8 U.S.C. § 1252. *Lemus-Galvan v. Mukasey*, 518 F.3d 1081, 1082-83 (9th Cir. 2008).

In his opening brief, Santos states he has been removed. We lack jurisdiction over the petition for review because Santos’ CAT claim is moot, due to Santos having been removed to Guatemala. *See Kaur v. Holder*, 561 F.3d 957, 959 (9th Cir. 2009) (“[W]e cannot give [the petitioner] any relief with respect to withholding because he has already been deported and he suffers no collateral consequence from the withholding decision. There is simply no live controversy.”). Therefore, we dismiss the petition for review.

PETITION FOR REVIEW DISMISSED.