

MAR 02 2012

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MARIO SANCHEZ-PEREZ,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 11-70162

Agency No. A077-598-209

MEMORANDUM*

On Petition for Review of an Order of the
Department of Homeland Security

Submitted February 21, 2012**

Before: FERNANDEZ, McKEOWN, and BYBEE, Circuit Judges.

Mario Sanchez-Perez, a native and citizen of Mexico, petitions for review of the Department of Homeland Security’s order reinstating his prior expedited removal order under 8 U.S.C. § 1231(a)(5). We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition for review.

* 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).

Contrary to Sanchez-Perez's contention, the agency did not err when it concluded that Sanchez-Perez had unlawfully reentered the United States. *See Morales-Izquierdo v. Gonzales*, 486 F.3d 484, 495-497 (9th Cir. 2007) (en banc); 8 C.F.R. § 241.8 (when determining illegal re-entry, "the officer shall consider all relevant evidence, including statements made by the alien and any evidence in the alien's possession").

PETITION FOR REVIEW DENIED.