

MAY 17 2012

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

NOT FOR PUBLICATION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

ERICK DANILO SOSA-SALGERO,
AKA Daniel Sosa,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-70807

Agency No. A088-724-039

MEMORANDUM*

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

Submitted May 15, 2012 **

Before: CANBY, GRABER and M. SMITH, Circuit Judges.

Erick Danilo Sosa-Salgero, a native and citizen of Guatemala, petitions for review of a Board of Immigration Appeals order dismissing his appeal from an

* 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).

immigration judge's denial of his application for cancellation of removal. Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss the petition for review.

We lack jurisdiction to review the agency's discretionary determination that Sosa-Salgero failed to show exceptional and extremely unusual hardship to his United States citizen child. 8 U.S.C. § 1252(a)(2)(B); *Mendez–Castro v. Mukasey*, 552 F.3d 975, 979 (9th Cir. 2009).

Sosa-Salgero's contention, that the Board failed to properly consider and weigh all evidence of hardship, does not raise a colorable due process claim.

Martinez–Rosas v. Gonzales, 424 F.3d 926, 930 (9th Cir. 2005).

PETITION FOR REVIEW DISMISSED.