

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAY 24 2012

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

PAULINO LUIS MARTINEZ-MENA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 07-70946

Agency No. A095-617-745

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.

Paulino Luis Martinez-Mena, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's removal order. We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law, *Latter-Singh v. Holder*, 668 F.3d

* 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).

1156, 1159 (9th Cir. 2012), and we deny the petition for review.

The BIA correctly determined that Martinez-Mena is statutorily ineligible for cancellation of removal because his conviction under California Penal Code § 422 is for a crime involving moral turpitude. *See* 8 U.S.C. §§ 1182(a)(2)(A)(i)(I), 1229b(b)(1)(C); *Latter-Singh*, 668 F.3d at 1163 (a conviction under California Penal Code § 422 is categorically a crime involving moral turpitude).

Martinez-Mena's remaining contentions are unavailing.

PETITION FOR REVIEW DENIED.