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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SALVADOR DIAZ-HILARIO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-72383

Agency No. A092-234-068

MEMORANDUM*

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

Submitted July 17, 2012**

Before: SCHROEDER, THOMAS, and SILVERMAN, Circuit Judges.

Salvador Diaz-Hilario, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's removal order. We dismiss 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).

Diaz-Hilario does not challenge the agency's finding that he is removable for having committed a controlled substance offense. Accordingly, we lack jurisdiction to review Diaz-Hilario's order of removal. *See* 8 U.S.C. § 1252(a)(2)(C); *Bermudez v. Holder*, 586 F.3d 1167, 1169 (9th Cir. 2009) (*per curiam*).

We lack jurisdiction to grant Diaz-Hilario bond or order his release. *See* 8 U.S.C. § 1226(c)(2) (the Attorney General may authorize release after certain procedures are followed).

We also lack jurisdiction to consider Diaz-Hilario's unexhausted claim that he was not informed of the immigration consequences of his no-contest plea in California criminal court. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004).

Diaz-Hilario's May 17, 2012, motion for a bond hearing is dismissed for failure to exhaust his administrative remedies. *See Leonardo v. Crawford*, 646 F.3d 1157, 1159 (9th Cir. 2011) ("If [petitioner] is dissatisfied with the BIA's decision, he may then file a habeas petition in the district court, challenging his continued detention. The district court's decision on the habeas petition may be appealed to this court.").

PETITION FOR REVIEW DISMISSED.