

OCT 15 2012

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

OSCAR PADILLA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-75145

Agency No. A073-868-045

MEMORANDUM*

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

Submitted October 9, 2012**

Before: RAWLINSON, MURGUIA, and WATFORD, Circuit Judges.

Oscar Padilla, 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.

* 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).

We review de novo questions of law, *Gil v. Holder*, 651 F.3d 1000, 1002 (9th Cir. 2011), and we deny the petition for review.

The BIA did not err in determining that Padilla may not impute his father's lawful permanent residence for purposes of meeting the requirements of 8 U.S.C. § 1229b(a)(2). *See Sawyers v. Holder*, 684 F.3d 911 (9th Cir. 2012) (per curiam).

PETITION FOR REVIEW DENIED.