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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN AUGUSTIN COSUELO-
QUINTERO, a.k.a. Juan Augustin
Consuelo-Quintero, a.k.a. Juan Augustine
Consuelo-Quintero,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-73720

Agency No. A044-279-866

MEMORANDUM*

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

Submitted November 13, 2012**

Before: CANBY, TROTT, and W. FLETCHER, Circuit Judges.

Juan Augustin Cosuelo-Quintero, a native and citizen of Mexico, petitions
for review of the Board of Immigration Appeals' ("BIA") order summarily

* 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).

dismissing his appeal from an immigration judge's ("IJ") order of removal. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for abuse of discretion the summary dismissal of an appeal. *Singh v. Gonzales*, 416 F.3d 1006, 1009 (9th Cir. 2005). We deny in part and dismiss in part the petition for review.

The BIA did not abuse its discretion in summarily dismissing Cosuelo-Quintero's appeal where he did not file a separate appeal brief or statement as indicated in his Notice of Appeal and he failed to state specific grounds for appeal in his Notice of Appeal. *See Singh v. Ashcroft*, 361 F.3d 1152, 1157 (9th Cir. 2004); *Garcia-Cortez v. Ashcroft*, 366 F.3d 749, 752 (9th Cir. 2004) (the BIA may summarily dismiss an appeal if an alien submits no separate written brief or statement to the BIA and inadequately informs the BIA of what aspects of the IJ's decision were allegedly incorrect and why).

We lack jurisdiction to review the underlying merits of Cosuelo-Quintero's appeal because he failed to raise these issues before the BIA and thereby failed to exhaust his administrative remedies. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004) (this court lacks jurisdiction to review contentions not raised before the agency).

PETITION FOR REVIEW DENIED in part; DISMISSED in part.