

JAN 16 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PORNCHA SUVANASARN,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 05-76675

Agency No. A022-450-982

MEMORANDUM\*

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

Submitted January 15, 2013\*\*

Before: SILVERMAN, BEA, and NGUYEN, Circuit Judges.

Porncha Suvanarn, a native and citizen of Thailand, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's removal order. We have jurisdiction under 8 U.S.C. § 1252.

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\* 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, *Ramirez-Villalpando v. Holder*, 645 F.3d 1035, 1038 (9th Cir. 2011), and we deny the petition for review.

The agency correctly determined that Suvanasarn's conviction for grand theft under California Penal Code § 487(a) constitutes an aggravated felony theft offense because the record of conviction establishes that Suvanasarn pled guilty to grand theft of personal property. *See id.* at 1040-41 (using an abstract of judgment in combination with the charging document to establish that a conviction was for a removable offense).

Suvanasarn's contention that his conviction cannot constitute an aggravated felony theft offense because he may have been convicted as an aider and abettor is foreclosed by *Gonzales v. Duenas-Alvarez*, 549 U.S. 183, 185 (2007) (a theft offense under 8 U.S.C. § 1101(a)(43)(G) for which an alien may be removed includes the crime of aiding and abetting a theft offense).

**PETITION FOR REVIEW DENIED.**