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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIA LETICIA DIAZ DE SARABIA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-73843

Agency No. A078-248-526

MEMORANDUM\*

On Petition for Review of an Order of the  
Department of Homeland Security

Submitted January 15, 2013\*\*

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

Maria Leticia Diaz De Sarabia petitions for review of an order of the Department of Homeland Security reinstating an April 10, 2000, expedited order of removal against a Leticia Diaz Corral. We have jurisdiction under 8 U.S.C. § 1252 to review the agency's compliance with the reinstatement regulations. We review

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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).

de novo questions of law and due process claims. *Garcia de Rincon v. Dept. of Homeland Sec.*, 539 F.3d 1133, 1136-37 (9th Cir. 2008). We grant the petition for review, and remand.

Contrary to respondent's contentions, the reinstatement order is invalid because the record does not establish that the immigration officer complied with the requirements for verification of identity in disputed cases. *See* 8 C.F.R. § 241.8(a)(2).

**PETITION FOR REVIEW GRANTED; ORDER VACATED;  
REMANDED.**