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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RAQUEL ANGUIANO-PEREZ,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

No. 07-74242

Agency No. A030-516-359

MEMORANDUM*

RAQUEL ANGUIANO-PEREZ,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

No. 09-73463

Agency No. A030-516-359

On Petitions for Review of Orders of the
Board of Immigration Appeals

Argued and Submitted November 6, 2012
Pasadena, California

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Before: GRABER, IKUTA, and HURWITZ, Circuit Judges.

Raquel Anguiano-Perez, a permanent resident, who is a native and citizen of Mexico, petitions for review of a decision of the Board of Immigration Appeals (“BIA”) affirming the order of an immigration judge (“IJ”) finding her removable for alien smuggling. We have jurisdiction pursuant to 8 U.S.C. § 1252 and deny the petition for review.

Anguiano-Perez also challenges the BIA’s denial of her application for cancellation of removal and its decision not to exercise *sua sponte* authority to reopen or reconsider. We lack jurisdiction over these claims.

1. The IJ’s determination that Anguiano-Perez was removable under 8 U.S.C. § 1227(a)(1)(E)(i) was supported by substantial evidence. Her son admitted to smuggling aliens across the border to his mother’s nearby house; one of the aliens testified that Anguiano-Perez stood outside the house and yelled “hurry up!” as the group ran toward her and then directed them to hide in the closet in which they were eventually found. Substantial evidence, including the testimony of a Border Patrol officer observing the house, contradicted Anguiano-Perez’s assertion that she was not at home when the aliens arrived.

2. We lack jurisdiction to review the IJ’s discretionary denial of cancellation of removal. 8 U.S.C. § 1252(a)(2)(B)(i); *Fernandez v. Gonzales*, 439 F.3d 592, 599

n.5 (9th Cir. 2006). We also lack jurisdiction to review the BIA's refusal to exercise *sua sponte* authority to reopen or reconsider. *Ekimian v. INS*, 303 F.3d 1153, 1159 (9th Cir. 2002).

PETITIONS DENIED IN PART, DISMISSED IN PART.