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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>GABINO HERNANDEZ-SOSA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 10-73816

Agency No. A095-690-218

MEMORANDUM*

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

Submitted March 12, 2013**

Before: PREGERSON, REINHARDT, and W. FLETCHER, Circuit Judges.

Gabino Hernandez-Sosa, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for cancellation of removal.

We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law,

* 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).

Latter-Singh v. Holder, 668 F.3d 1156, 1159 (9th Cir. 2012), and we deny the petition for review.

The agency correctly determined that Hernandez-Sosa is not eligible for cancellation of removal due to his 2004 conviction for making criminal threats “with intent to terrorize” under California Penal Code § 422. *See* 8 U.S.C. § 1229b(b)(1)(C) (enumerating crimes that bar cancellation relief); *Latter-Singh*, 668 F.3d at 1162-63 (conviction under California Penal Code § 422 is categorically a crime involving moral turpitude).

PETITION FOR REVIEW DENIED.