

JUN 14 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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

No. 06-74419

Agency No. A072-291-332

ORDER*

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

Submitted June 13, 2013**
Pasadena, California

Before: REINHARDT, RAWLINSON, and N.R. SMITH, Circuit Judges.

In light of our opinion in *Young v. Holder*, 697 F.3d 976 (9th Cir. 2012) (en banc), we remand this matter to the BIA to permit Hernandez-Araiza to provide additional evidence supporting his contention that he was not convicted of a controlled substances offense.

* 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).

A copy of this order, served on the agency, shall serve as the mandate of this court.

REMANDED.