

AUG 20 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ROSARIO SIMON, a.k.a. Rosario Angela Plurad,</p> <p style="text-align: center;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 10-73461

Agency No. A096-388-291

MEMORANDUM\*

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

Submitted August 1, 2013\*\*

Before: GRABER, WARDLAW, and PAEZ, Circuit Judges.

Rosario Simon, a native and citizen of the Philippines, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing her appeal from an immigration judge’s decision denying her application for cancellation of removal.

We dismiss the petition for 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).

The BIA denied cancellation on two alternative grounds. The first is a discretionary conclusion that Petitioner failed to demonstrate good moral character on account of a fraudulent marriage, entered into so as to procure immigration benefits for Petitioner's daughter. We lack jurisdiction to review that determination. *See Lopez-Castellanos v. Gonzales*, 437 F.3d 848, 854 (9th Cir. 2006). We therefore need not reach the second ground, in which the BIA found her statutorily barred from establishing good moral character.

**PETITION FOR REVIEW DISMISSED.**