

SEP 10 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SANTAM SINGH,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-70815

Agency No. A096-133-335

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration AppealsSubmitted August 26, 2013**
Pasadena, CaliforniaBefore: O'SCANNLAIN and CHRISTEN, Circuit Judges, and COGAN, District
Judge.***

Santam Singh, an Indian national, petitions for review of the Board of
Immigration Appeals' ("BIA") order affirming the Immigration Judge's ("IJ")

* 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 Honorable Brian M. Cogan, U.S. District Judge for the Eastern
District of New York, Brooklyn, sitting by designation.

decision declaring his asylum application frivolous. Petitioner claims that the BIA's affirmance was error, because Petitioner did not make a deliberate misrepresentation due to ineffective assistance of counsel, and because Petitioner received inadequate notice of his right to counsel. These arguments lack merit.

First, Petitioner concedes that he knew the statements in his asylum application and interview were false when made. Petitioner's argument that his lawyer told him to lie thus only explains why he lied, rather than suggest that his lies were unknowing or involuntary. Second, the asylum application signed by Petitioner contained written warnings that adequately notified him "of both the consequences of knowingly filing a frivolous application for asylum as well as the privilege of being represented by counsel, as required by 8 U.S.C. § 1158(d)(4)(A)." Cheema v. Holder, 693 F.3d 1045, 1049 (9th Cir. 2012).

PETITION DENIED.