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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>RAMON ANTONIO GONZALEZ-GARCIA,</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>

No. 11-71804

Agency No. A099-836-600

MEMORANDUM*

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

Submitted September 24, 2013**

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

Ramon Antonio Gonzalez-Garcia, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing his appeal from an immigration judge’s denial of his application for cancellation of

* 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).

removal. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's continuous physical presence determination. *Lopez-Alvarado v. Ashcroft*, 381 F.3d 847, 851 (9th Cir. 2004). We deny the petition for review.

Substantial evidence supports the agency's determination that Gonzalez-Garcia did not meet the requirement that he demonstrate ten years of continuous physical presence in the United States, where he testified on three separate occasions that he first entered the United States in 1998. *See* 8 U.S.C. § 1229b(b)(1)(A); *cf. Lopez-Alvarado*, 381 F.3d at 851-53 (finding that petitioners had met their burden where the detailed documentary and testimonial evidence presented by petitioners was consistent).

We reject Gonzalez-Garcia's contention that the BIA failed to consider his evidence of continuous presence and failed to provide a reasoned and persuasive explanation for its decision. *See Ornelas-Chavez v. Gonzales*, 458 F.3d 1052, 1058 (9th Cir. 2006).

PETITION FOR REVIEW DENIED.