

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

OCT 07 2013

MIGUEL CARRILLO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 12-71179

Agency No. A070-915-954

MEMORANDUM*

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

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

Submitted September 11, 2013 **
San Francisco, California

Before: ALARCÓN and BERZON, Circuit Judges; and ZOUHARY, District
Judge.***

* 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 Jack Zouhary, United States District Judge for the
Northern District of Ohio, sitting by designation.

The only claim in his Petition is that Carrillo's conviction of an aggravated felony was invalid because of ineffective assistance of counsel. That contention "is no longer supportable," because *Chaidez v. United States*, __ U.S. ___, 133 S. Ct. 1103 (2013), held *Padilla v. Kentucky*, 559 U.S. 356 (2009), non-retroactive. Pet'r's Suppl. Br. at 5.

DENIED.