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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SERFAIN ALEJANDRO MENDOZA
LARA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-73707

Agency No. A079-376-389

MEMORANDUM*

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

Submitted October 15, 2013**

Before: FISHER, GOULD, and BYBEE, Circuit Judges.

Serfain Alejandro Mendoza Lara, 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 removal order. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency’s findings of fact,

* 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).

Blanco v. Mukasey, 518 F.3d 714, 718 (9th Cir. 2008), and we deny the petition for review.

Substantial evidence supports the BIA's determination that Mendoza Lara was inadmissible under 8 U.S.C. § 1182(a)(6)(C)(ii) because he made a false claim to being a United States citizen in April 2005. *See* 8 U.S.C. § 1252(b)(4)(B); *Blanco*, 518 F.3d at 720-21.

In light of this disposition, we need not reach Mendoza Lara's contentions concerning the January 2005 claim to citizenship nor his contention regarding *res judicata*.

Contrary to Mendoza Lara's contention, it was not necessary for the BIA to address his challenge to the admissibility of the I-213 and G-166 where the BIA relied on the "Record of Sworn Statement" dated April 4, 2005, to determine Mendoza Lara was inadmissible.

PETITION FOR REVIEW DENIED.