

OCT 22 2013

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>SERFAIN ALEJANDRO MENDOZA LARA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
--

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.