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U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JESUS CHRISTIAN PAEZ-CARRASCO,
AKA Jesus Christian Paez,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-70665

Agency No. A074-183-535

MEMORANDUM*

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

Submitted November 7, 2013**
San Francisco, California

Before: REINHARDT and WATFORD, Circuit Judges, and LYNN, 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 Barbara M. G. Lynn, District Judge for the U.S. District Court for the Northern District of Texas, sitting by designation.

Jesus Christian Paez-Carrasco seeks review of the Immigration Judge's October 22, 2008, decision preterminating Paez's application for cancellation of removal and ordering him removed from the United States. Paez sought to have his U.S. citizen step-father's residence imputed to him for the purpose of establishing continuous residence to obtain cancellation of removal. However, he now concedes that *Holder v. Martinez Gutierrez*, 132 S.Ct. 2011 (2012), decided after the BIA's decision, bars him from establishing his period of residence through a parent.

Paez also argues that the government has not met its burden of proving that he is removable. The evidence reveals, however, that Paez was convicted of several California controlled substances violations involving methamphetamine, which renders Paez removable as an alien convicted of violating a state law relating to a controlled substance. 8 U.S.C. § 1227(a)(2)(B)(i).

Accordingly, the petition is DENIED.