

JAN 23 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>CESAR HERNANDEZ-CARRANZA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 12-73507

Agency No. A095-745-118

MEMORANDUM*

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

Submitted January 21, 2014**

Before: CANBY, SILVERMAN, and PAEZ, Circuit Judges.

Cesar Hernandez-Carranza, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals’ (“BIA”) order dismissing his appeal from an immigration judge’s order of removal. We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law and review for substantial

* 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).

evidence factual determinations. *Lopez-Cardona v. Holder*, 662 F.3d 1110, 1111 (9th Cir. 2011). We deny the petition for review.

Hernandez-Carranza does not dispute that his conviction for grand theft/embezzlement under California Penal Code § 487(a)/508 with a 214-day sentence is a crime involving moral turpitude. This conviction is final for immigration purposes, and the validity of this conviction is not properly before us. *See Planes v. Holder*, 652 F.3d 991, 996 (9th Cir. 2011); *Ramirez-Villalpando v. Holder*, 645 F.3d 1035, 1041 (9th Cir. 2010) (“A petitioner may not collaterally attack his state court conviction on a petition for review of a BIA decision.”). Accordingly, the BIA correctly determined that Hernandez-Carranza is statutorily ineligible for cancellation of removal due to his conviction. *See* 8 U.S.C. §§ 1182(a)(2)(A)(i)(I), 1229b(b)(1)(C).

Substantial evidence supports the BIA’s determination that Hernandez-Carranza has not established eligibility for any other form of relief or protection from removal. *See* 8 U.S.C. § 1229a(c)(4)(A).

PETITION FOR REVIEW DENIED.