

APR 11 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ELLIOT NILSSON GARCIA-CASTRO,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 12-71929

Agency No. A072-321-175

MEMORANDUM\*

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

Submitted April 7, 2014\*\*

Before: TASHIMA, GRABER, and IKUTA, Circuit Judges.

Elliot Nilsson Garcia-Castro, a native and citizen of El Salvador, petitions for review of an order of the Board of Immigration Appeals (“BIA”) denying his motion to reconsider its prior order denying his motion to reopen deportation proceedings. We dismiss the petition for review.

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\* 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).

Garcia-Castro's undisputed deportability for a controlled-substance violation under former 8 U.S.C. § 1231(a)(2)(B)(i) precludes us from considering his abuse-of-discretion challenge to the BIA's decision denying his motion to reconsider. *See* 8 U.S.C. § 1252(a)(2)(C); *Bermudez v. Holder*, 586 F.3d 1167, 1169 (9th Cir. 2009) (per curiam); *see also Ghahremani v. Gonzales*, 498 F.3d 993, 998 n.5 (9th Cir. 2007) (“[W]ithdrawal of judicial review over final orders of deportation also withdraws jurisdiction from motions to reconsider . . . for those aliens deportable for having committed a crime enumerated in the statute.” (citation omitted)).

**PETITION FOR REVIEW DISMISSED.**