

MAY 20 2015

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

NOT FOR PUBLICATION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

ADRIAN RAY-DURAN, AKA Adrian
Duran Ray,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 13-70301

Agency No. A200-870-037

MEMORANDUM*

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

Submitted May 13, 2015**

Before: LEAVY, CALLAHAN, and M. SMITH, Circuit Judges.

Adrian Ray-Duran, 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 (“IJ”) order of removal. We dismiss the petition for review.

* 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 BIA did not err in determining that Ray-Duran waived any challenge to the IJ's determination that Ray-Duran was subject to the heightened standard of hardship for a waiver of inadmissability under 8 U.S.C. § 1182(h). Accordingly, we lack jurisdiction to consider Ray-Duran's contentions regarding the IJ's determination that Ray-Duran was subject to the heightened standard of hardship, because he failed to raise the issue with the BIA and therefore failed to exhaust his administrative remedies. *See Barron v. Ashcroft*, 358 F.3d 674, 677-78 (9th Cir. 2004).

PETITION FOR REVIEW DISMISSED.