

JUN 25 2015

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOHN HAROLD ARCE-PACHECO,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 13-70799

Agency No. A087-465-500

MEMORANDUM\*

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

Submitted June 22, 2015\*\*

Before: HAWKINS, GRABER, and W. FLETCHER, Circuit Judges.

John Harold Arce-Pacheco, a native and citizen of Peru, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for withholding of removal

---

\* 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).

and protection under the Convention Against Torture (“CAT”). Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss the petition for review.

In the opening brief, petitioner does not raise any arguments challenging the BIA’s reasons for denying Arce-Pacheco’s withholding of removal or CAT claims, and instead raises several due process contentions that do not relate to this record. We lack jurisdiction to review these claims because they were not raised to the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004) (court lacks jurisdiction over procedural due process claims that were not exhausted before the agency).

**PETITION FOR REVIEW DISMISSED.**