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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PABLO CORONA-ALVAREZ, AKA
Paulo Carona, AKA Paulo Corona, AKA
Paulo Alores Corona, AKA Jesus
Rodrigues, AKA Jesse Vargas,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 13-72891

Agency No. A200-976-212

MEMORANDUM*

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

Submitted August 25, 2015**

Before: McKEOWN, CLIFTON, and HURWITZ, Circuit Judges.

Pablo Corona-Alvarez, 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") decision finding him removable and

* 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).

pretermitted his application for cancellation of removal. Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo questions of law. *Mohammed v. Gonzales*, 400 F.3d 785, 791-92 (9th Cir. 2005). We deny in part and dismiss in part the petition for review.

Corona-Alvarez does not raise, and has therefore waived, any arguments challenging the agency's determination that his conviction for violating California Health and Safety Code § 11360(a) is a controlled substance violation under 8 U.S.C. § 1182(a)(2)(A)(i)(II). *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues not specifically raised and argued in the opening brief are deemed waived). Accordingly, the agency did not err in pretermitted Corona-Alvarez's application for cancellation of removal, where his controlled substance violation made him statutorily ineligible for that relief. *See* 8 U.S.C. § 1229b(b)(1)(C).

We lack jurisdiction to consider Corona-Alvarez's contention regarding the Federal First Offender Act because he failed to exhaust this contention before the agency. *See Barron v. Ashcroft*, 358 F.3d 674, 676 (9th Cir. 2004).

Corona-Alvarez's remaining contentions are without merit.

PETITION FOR REVIEW DENIED in part; DISMISSED in part.