

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

SEP 03 2015

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

BING CHEN,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-72358

Agency No. A201-207-843

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.

Bing Chen, a native and citizen of China, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for asylum and withholding of removal.

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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).

Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss the petition for review.

The agency denied Chen’s asylum and withholding claims based on an adverse credibility determination. We lack jurisdiction to consider Chen’s contentions regarding the adverse credibility determination, because he failed to raise them to the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004) (this court lacks jurisdiction to review issues not raised before the agency); *see also Agyeman v. INS*, 296 F.3d 871, 877 (9th Cir. 2002) (“we may not entertain due process claims based on correctable procedural errors unless the alien raised them below”).

Chen’s motion for stay of removal is denied as moot. The temporary stay of removal will terminate upon issuance of the mandate.

**PETITION FOR REVIEW DISMISSED.**