

OCT 21 2015

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

NAMSRAIDORJ MIJID,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 12-70208

Agency No. A200-243-475

MEMORANDUM*

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

Submitted October 14, 2015**

Before: SILVERMAN, BERZON, and WATFORD, Circuit Judges.

Namsraidorj Mijid, a native and citizen of Mongolia, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for asylum, withholding of removal, and protection under the Convention Against Torture.

* 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 review de novo questions of law, including questions pertaining to our own jurisdiction. *Ruiz-Morales v. Ashcroft*, 361 F.3d 1219, 1221 (9th Cir.2004). We dismiss the petition for review.

We lack jurisdiction to review Mijid’s contentions regarding the IJ’s denial of his right to counsel and denial of his right to a full and fair hearing because he failed to raise these due process claims to the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 677-78 (9th Cir. 2004) (no jurisdiction over claims not presented below). We reject Mijid’s contention that his arguments did not need to be exhausted. *See Sola v. Holder*, 720 F.3d 1134, 1136 (9th Cir. 2013) (per curiam) (“[C]hallenges to procedural errors correctable by the administrative tribunal must be exhausted before we undertake review”) (citation and internal quotation omitted).

PETITION FOR REVIEW DISMISSED.