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

NOT FOR PUBLICATION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

JOEL ANGUIANO-ALVARADO,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-72986

Agency No. A077-067-149

MEMORANDUM*

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

Submitted March 15, 2016**

Before: GOODWIN, LEAVY, and CHRISTEN, Circuit Judges.

Joel Anguiano-Alvarado, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") order of removal. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for abuse of discretion the decision to deem an

* 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).

application abandoned. *Taggar v. Holder*, 736 F.3d 886, 889 (9th Cir. 2013). We grant in part and dismiss in part the petition for review, and remand.

Under the circumstances presented by this case, the agency abused its discretion in concluding that Anguiano-Alvarado abandoned his applications for relief. *See Cui v. Mukasey*, 538 F.3d 1289, 1295-96 (9th Cir. 2008) (abuse of discretion where the IJ’s decision was “arbitrary and unreasonable”).

To the extent Anguiano-Alvarado contends the IJ exhibited bias against him, we lack jurisdiction to review that unexhausted contention. *See Velasco-Cervantes v. Holder*, 593 F.3d 975, 978 n.3 (9th Cir. 2010), overruled on other grounds by *Henriquez-Rivas v. Holder*, 707 F.3d 1081 (9th Cir. 2013) (en banc) (citation to legal authority, without corresponding argument, is “completely insufficient to put the BIA on notice of the argument”).

In light of this disposition, we need not reach Anguiano-Alvarado’s remaining contentions regarding due process and whether the BIA sufficiently considered his arguments.

Each party shall bear its own costs for this petition for review.

**PETITION FOR REVIEW GRANTED in part; DISMISSED in part;
REMANDED.**