

SEP 19 2016

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TEODORO GUERRERO-VENEGAS,
AKA Juan Pablo Quinones-Guerrero,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 15-70914

Agency No. A200-946-850

MEMORANDUM*

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

Submitted September 13, 2016**

Before: HAWKINS, N.R. SMITH, and HURWITZ, Circuit Judges.

Teodoro Guerrero-Venegas, 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 decision denying his application for cancellation of removal. We have jurisdiction under 8 U.S.C. § 1252. We review de novo

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

questions of law. *Iturribarria v. INS*, 321 F.3d 889, 894 (9th Cir. 2003). We deny the petition for review.

Guerrero-Venegas' contention that the agency violated its own regulations governing the pleading stage of proceedings fails for lack of prejudice, because he does not dispute the factual basis for removability. *See Kohli v. Gonzales*, 473 F.3d 1061, 1066 (9th Cir. 2007) (petitioner must demonstrate that he was prejudiced by the agency's violation of its own regulation); 8 C.F.R. § 1240.10.

We reject Guerrero-Venegas' contention that the BIA issued an order of removal in the first instance.

PETITION FOR REVIEW DENIED.