

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 2 2017

FOR THE NINTH CIRCUIT

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

ELMER STEVE FUENTES HERNANDEZ,

No. 14-71200

Petitioner,

Agency No. A206-421-638

v.

MEMORANDUM*

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

On Petition for Review of an
Immigration Judge's Decision

Submitted September 26, 2017**

Before: SILVERMAN, TALLMAN, and N. R. SMITH, Circuit Judges.

Elmer Steve Fuentes Hernandez, a native and citizen of Honduras, petitions for review of an immigration judge's ("IJ") order affirming the decision of an asylum officer during expedited removal proceedings. We dismiss the petition for review.

* 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).

We lack jurisdiction to review the IJ's order because it was issued pursuant to 8 U.S.C. § 1225(b)(1) and none of the exceptions to the restriction on judicial review of expedited removal orders apply. *See* 8 U.S.C. § 1252(a)(2)(A)(iii) (“no court shall have jurisdiction to review” determinations made under 8 U.S.C. § 1225(b)(1)(B)); *Pena v. Lynch*, 815 F.3d 452, 455-56 (9th Cir. 2016) (concluding this court generally lacks jurisdiction to review removal orders issued pursuant to 8 U.S.C. § 1225(b)(1) and describing the limited exceptions).

PETITION FOR REVIEW DISMISSED.