

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NOV 20 2017

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

JOSE AGUILAR-CORTES,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 16-70024

Agency No. A073-940-045

MEMORANDUM*

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

Submitted November 15, 2017**

Before: CANBY, TROTT, and GRABER, Circuit Judges.

Jose Aguilar-Cortes, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying adjustment of status. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual

* 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).

determinations regarding inadmissibility. *Abufayad v. Holder*, 632 F.3d 623, 631 (9th Cir. 2011). We deny the petition for review.

Aguilar-Cortes raises no contentions regarding the agency's determination that the admissions and concessions in his written pleadings make him inadmissible under 8 U.S.C. § 1182(a)(9)(C)(i)(II) and therefore ineligible for adjustment of status, and thus he waives challenge to this dispositive determination. *See* 8 U.S.C. § 1255(i)(2) (to be eligible for adjustment of status, an alien must be admissible); 8 U.S.C. § 1182(a)(9)(C)(i)(II) (any alien who has been ordered removed under 8 U.S.C. § 1225(b)(1) and reenters the United States without being admitted is inadmissible); *Lopez-Vasquez v. Holder*, 706 F.3d 1072, 1079-80 (9th Cir. 2013) (issues not specifically raised and argued in an opening brief are waived).

In light of this disposition, we need not address Aguilar-Cortes' remaining contentions. *See Simeonov v. Ashcroft*, 371 F.3d 532, 538 (9th Cir. 2004) (the court is not required to make findings on issues unnecessary to the result reached).

PETITION FOR REVIEW DENIED.