

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 20 2018

FOR THE NINTH CIRCUIT

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

EVARISTO ESPINO-HERNANDEZ,

No. 15-72209

Petitioner,

Agency No. A200-897-853

v.

MEMORANDUM*

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

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

Submitted March 13, 2018**

Before: LEAVY, M. SMITH, and CHRISTEN, Circuit Judges.

Evaristo Espino-Hernandez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") order pretermining his applications for cancellation of removal and voluntary departure. 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).

Espino-Hernandez concedes that his conviction for felony endangerment under Arizona Revised Statutes (“ARS”) § 13-1201 is a crime involving moral turpitude. *See Leal v. Holder*, 771 F.3d 1140, 1146 (9th Cir. 2014).

We lack jurisdiction to consider Espino-Hernandez’s unexhausted contentions that the IJ erred or violated due process in vacating his June 19, 2014, hearing, or in finding his conviction under ARS § 13-1201 to preclude the establishment of the requisite good moral character for post-conclusion voluntary departure. *See Tijani v. Holder*, 628 F.3d 1071, 1080 (9th Cir. 2010).

PETITION FOR REVIEW DISMISSED.