

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

CRISANTO CARINO RAGASA,
Petitioner,

v.

ERIC H. HOLDER, JR., Attorney
General,
Respondent.

No. 12-72262

Agency No.
A037-485-221

ORDER

Filed February 24, 2014

Before: Michael Daly Hawkins, M. Margaret McKeown,
and Carlos T. Bea, Circuit Judges.

ORDER

For the reasons to be set forth in a disposition to follow, we deny petitioner Ragasa's claim for citizenship. However, we grant the petition for review because his Hawai'i state conviction does not constitute a predicate offense for purposes of removability under Section 237(a)(2)(B)(i) of the INA. Therefore, we order the United States to release Ragasa from custody forthwith.