

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 2 2016

FOR THE NINTH CIRCUIT

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

ROCAEL MENDOZA GOMEZ, AKA
Carlos Roberto Martinez,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-73552

Agency No. A077-284-171

MEMORANDUM*

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

Submitted July 26, 2016**

Before: SCHROEDER, CANBY, and CALLAHAN, Circuit Judges.

Rocael Mendoza Gomez, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for cancellation of removal.

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 agency’s discretionary determination that Mendoza Gomez failed to show exceptional and extremely unusual hardship to a qualifying relative. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005). Mendoza Gomez’s contention that the agency did not consider the future impact of his removal on his children lacks support in the record and is not sufficiently colorable to invoke our jurisdiction. *See Vilchiz-Soto v. Holder*, 688 F.3d 642, 644 (9th Cir. 2012) (absent a colorable legal or constitutional claim, the court lacks jurisdiction to review the agency’s discretionary hardship determination); *Martinez-Rosas*, 424 F.3d at 930 (“To be colorable in this context, . . . the claim must have some possible validity.” (citation omitted)).

PETITION FOR REVIEW DISMISSED.