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

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JOSE ANTONIO MORALES-MARCOS,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-73920

Agency No. A206-105-315

MEMORANDUM*

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

Submitted October 25, 2016**

Before: LEAVY, SILVERMAN, and GRABER, Circuit Judges.

Jose Antonio Morales-Marcos, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' order summarily affirming an immigration judge's ("IJ") order of removal. We have jurisdiction under 8 U.S.C. § 1252. We review de novo claims of due process violations. *Mohammed v.*

* 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).

Gonzales, 400 F.3d 785, 791-92 (9th Cir. 2005). We deny the petition for review.

Morales-Marcos' contention that the agency did not consider his claim that he fears for his life if removed to Mexico fails, where the record shows he never raised a claim of fear of returning to Mexico before the agency, and his former attorney informed the IJ that Morales-Marcos had not expressed a fear of returning to Mexico that was cognizable under the Immigration and Nationality Act.

Morales-Marcos fails to raise, and therefore has waived, all other challenges to the agency's order of removal. *See Tijani v. Holder*, 628 F.3d 1071, 1080 (9th Cir. 2010) (a petitioner waives an issue by failing to raise it in the opening brief).

We do not consider the extra-record materials that Morales-Marcos submitted with his brief. *See* 8 U.S.C. § 1252(b)(4)(A) (the court's review is limited to the administrative record); *Fisher v. INS*, 79 F.3d 955, 963 (9th Cir. 1996) (en banc) (new evidence may be added to the record through a motion to reopen with the agency).

PETITION FOR REVIEW DENIED.