

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 22 2018

FOR THE NINTH CIRCUIT

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

JESUS TEJEDA CRUZ, AKA Jesus Cruz
Tejeda,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 16-71815

Agency No. A089-267-927

MEMORANDUM*

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

Submitted August 15, 2018**

Before: FARRIS, BYBEE, and N.R. SMITH, Circuit Judges.

Jesus Tejeda Cruz, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's denial of voluntary departure and administrative closure. Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss in part and deny in part the petition for

* 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).

review.

Absent a colorable question of law or constitutional claim, we lack jurisdiction to review the agency's determination that Tejeda Cruz failed to merit voluntary departure as a matter of discretion. *See* 8 U.S.C. § 1229c(f); *Corro-Barragan v. Holder*, 718 F.3d 1174, 1177 (9th Cir. 2013) (the court's jurisdiction over challenges to the agency's discretionary voluntary departure determination is limited to constitutional claims or questions of law).

Tejeda Cruz establishes no error in the agency's denial of administrative closure.

PETITION FOR REVIEW DISMISSED in part; DENIED in part.