

FILED

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ADRIAN MIRCEA ENE; DANIELA
ENE,

Petitioners,

v.

WILLIAM P. BARR, Attorney General,

Respondent.

No. 16-73208

Agency Nos. A096-145-350
A096-145-351

MEMORANDUM*

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

Argued and Submitted February 13, 2019
San Francisco, California

Before: SCHROEDER, O'SCANNLAIN, and RAWLINSON, Circuit Judges.

This is a petition for review of an order terminating a grant of asylum because it was fraudulently obtained. The only issue before us is the sufficiency of the evidence to support that decision. The evidence included the convictions of the petitioners' prior attorneys for fraud, and the testimony of the agent who was in

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

charge of the investigation of those attorneys and who described the fraudulent misconduct that specifically included misconduct in representing these petitioners. The evidence also includes a declaration from Romania disavowing the statement that had been relied upon in the original asylum proceeding. The totality of the evidence is more than sufficient to support the termination of the asylum grant.

The petitioners contend that they were denied due process because they were not able to cross-examine the consular official who translated the Romanian declaration. The formal rules of evidence, however, are not binding in immigration proceedings, *Sanchez v. Holder*, 704 F.3d 1107, 1109 (9th Cir. 2012) (per curiam), and petitioners have offered nothing that would cast any doubt on the authenticity or the reliability of the document as translated.

The petition for review is **DENIED**.