

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 14 2020

FOR THE NINTH CIRCUIT

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

MARIO A. FAJARDO ESPINOZA,

No. 15-72059

Petitioner,

Agency No. A095-502-118

v.

MEMORANDUM*

WILLIAM P. BARR, Attorney General,

Respondent.

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

Submitted April 7, 2020**

Before: TASHIMA, BYBEE, and WATFORD, Circuit Judges.

Mario A. Fajardo Espinoza, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying cancellation of removal. We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law. *Bonilla v. Lynch*, 840 F.3d 575, 581 (9th Cir. 2016). We deny 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).

The agency did not err in denying cancellation of removal, where Fajardo Espinoza cannot show seven years of continuous residence after having been admitted in any status. *See* 8 U.S.C. § 1229b(a)(2); *Vasquez de Alcantar v. Holder*, 645 F.3d 1097, 1102 (9th Cir. 2011) (“we have never held that mere filing for LPR status constitutes admission”). Fajardo Espinoza’s contention that his acceptance into the Family Unity Program should be considered an admission for cancellation purposes is foreclosed by *Medina-Nunez v. Lynch*, 788 F.3d 1103, 1105 (9th Cir. 2015).

PETITION FOR REVIEW DENIED.