

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 15 2020

FOR THE NINTH CIRCUIT

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

DOLORES SANTAMARIA,

Petitioner,

v.

WILLIAM P. BARR, Attorney General,

Respondent.

No. 14-72639

Agency No. A073-936-772

MEMORANDUM\*

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

Submitted September 8, 2020\*\*

Before: TASHIMA, SILVERMAN, and OWENS, Circuit Judges.

Dolores Santamaria, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's decision denying her application for asylum. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for substantial evidence the agency's

---

\* 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).

factual findings. *Tamang v. Holder*, 598 F.3d 1083, 1088 (9th Cir. 2010). We deny in part and dismiss in part the petition for review.

The record does not compel the conclusion that Santamaria timely filed her asylum application or that she established extraordinary circumstances to excuse the untimely filing. *See* 8 C.F.R. § 1208.4(a)(5).

We lack jurisdiction to review Santamaria's arguments concerning prosecutorial discretion. *See Barron v. Ashcroft*, 358 F.3d 674, 677-78 (9th Cir. 2004) (court lacks jurisdiction to review claims not presented to the agency).

**PETITION FOR REVIEW DENIED in part; DISMISSED in part.**