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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROBERTO MARQUEZ CHAVEZ,

Petitioner,

v.

MERRICK B. GARLAND, Attorney  
General,

Respondent.

No. 20-70759

Agency No. A203-252-954

MEMORANDUM\*

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

Submitted June 8, 2021\*\*  
Pasadena, California

Before: GRABER, CALLAHAN, and FORREST, Circuit Judges.

Petitioner Roberto Marquez Chavez, a native and citizen of El Salvador, seeks review of a Board of Immigration Appeals' ("BIA") order summarily dismissing his appeal from an immigration judge's ("IJ") order of removal and denial of Petitioner's applications for asylum, withholding of removal, and relief

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\* 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).

under the Convention Against Torture. We deny the petition.

The BIA did not abuse its discretion, Singh v. Gonzales, 416 F.3d 1006, 1009 (9th Cir. 2005), in summarily dismissing Petitioner's appeal. Counsel's contention, in the Notice of Appeal, that the IJ erred by finding that Petitioner's conviction was an aggravated felony drug offense contradicts counsel's earlier statement that Petitioner admitted the factual allegations in the Notice to Appear and conceded the charge of removability. The Notice of Appeal fails to offer support for why Petitioner is able to retract his concession of removability, other than a "generalized and conclusory" statement about how the IJ erred. Toquero v. INS, 956 F.2d 193, 195 (9th Cir. 1992). And the standard for summarily dismissing an appeal under 8 C.F.R. § 1003.1(d)(2)(i)(A) or (E) was otherwise met. Rojas-Garcia v. Ashcroft, 339 F.3d 814, 819–20 (9th Cir. 2003); cf. Casas-Chavez v. INS, 300 F.3d 1088, 1090–91 (9th Cir. 2002).

**PETITION DENIED.**