

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 1 2021

FOR THE NINTH CIRCUIT

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

WON SIK CHUNG,

Petitioner,

v.

MERRICK B. GARLAND, Attorney
General,

Respondent.

No. 20-73337

Agency No. A214-669-908

MEMORANDUM*

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

Submitted June 21, 2021**

Before: SILVERMAN, WATFORD, and BENNETT, Circuit Judges.

Won Sik Chung, a native and citizen of South Korea, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for adjustment of status. Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss the petition

* 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).

for review.

We lack jurisdiction to review Chung's challenges to the IJ's denial of adjustment of status where the IJ denied relief as a matter of discretion. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *see also Ortega-Cervantes v. Gonzales*, 501 F.3d 1111, 1113 (9th Cir. 2007) (recognizing court generally lacks jurisdiction to review discretionary denial of adjustment of status). Although the court retains jurisdiction over questions of law, Chung's contentions do not amount to colorable claims that would invoke our jurisdiction. *See* 8 U.S.C. § 1252(a)(2)(D); *Bazua-Cota v. Gonzales*, 466 F.3d 747, 749 (9th Cir. 2006) (disagreement with weighing of equities is not colorable question of law).

We reject as unsupported by the record Chung's contentions that the agency applied the incorrect standard in declining to exercise its discretion or otherwise erred in its analysis of his case.

The temporary stay of removal remains in place until issuance of the mandate. The motion for a stay of removal is otherwise denied.

PETITION FOR REVIEW DISMISSED.