

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 27 2021

FOR THE NINTH CIRCUIT

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

ANGEL SANCHEZ-VIGIL, AKA Moises
Quintranar,

Petitioner,

v.

MERRICK B. GARLAND, Attorney
General,

Respondent.

No. 16-72702

Agency No. A073-963-023

MEMORANDUM*

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

Submitted July 19, 2021**

Before: SCHROEDER, SILVERMAN, and MURGUIA, Circuit Judges.

Angel Sanchez-Vigil, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for adjustment of status. We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law. *See*

* 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).

Madrigal-Barcenas v. Lynch, 797 F.3d 643, 643-45 (9th Cir. 2015). We deny the petition for review.

The BIA did not err in concluding that Sanchez-Vigil's conviction under California Health & Safety Code § 11550(a) is a controlled substance violation that renders him ineligible for adjustment of status. *See* 8 U.S.C.

§§ 1182(a)(2)(A)(i)(II), 1255(i)(2)(A); *Tejeda v. Barr*, 960 F.3d 1184, 1186 (9th Cir. 2020) (holding California Health & Safety Code § 11550(a) is divisible, and using a plea agreement and charging document to establish the elements of conviction); *Lopez v. Sessions*, 901 F.3d 1071, 1075 (9th Cir. 2018) (Federal First Offender Act treatment is limited to simple possession of a controlled substance offenses).

In light of this disposition, we decline to reach Sanchez-Vigil's contentions regarding his visa petition. *See Simeonov v. Ashcroft*, 371 F.3d 532, 538 (9th Cir. 2004) (the courts are not required to decide issues that are unnecessary to the results).

The temporary stay of removal remains in place until issuance of the mandate.

PETITION FOR REVIEW DENIED.