

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 26 2021

FOR THE NINTH CIRCUIT

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

PABLO ESPINOZA CORNELIO,

No. 14-72258

Petitioner,

Agency No. A092-203-262

v.

MEMORANDUM*

MERRICK B. GARLAND, Attorney
General,

Respondent.

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

Submitted August 17, 2021**

Before: SILVERMAN, CHRISTEN, and LEE, Circuit Judges.

Pablo Espinoza Cornelio, 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 his application for cancellation of removal. We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law.

* 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).

Coronado v. Holder, 759 F.3d 977, 982 (9th Cir. 2014). We deny the petition for review.

The agency properly denied cancellation of removal, where Espinoza Cornelio failed to meet his burden of proof to establish that his conviction under California Health & Safety Code section 11360(a) does not constitute an aggravated felony drug trafficking offense that renders him ineligible for cancellation of removal. *See* 8 U.S.C. §§ 1101(a)(43)(B), 1229b(a)(3); *Pereida v. Wilkinson*, 141 S. Ct. 754, 766 (2021) (an inconclusive conviction record is insufficient to meet applicant's burden of proof to show eligibility for relief).

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

PETITION FOR REVIEW DENIED.