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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>LUIS TORRES FALFAN; ANGELICA MARIA MEDINA BAHENA,</p> <p style="text-align: center;">Petitioners,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 07-70913

Agency Nos. A095-449-318  
A095-449-319

MEMORANDUM\*

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

Submitted October 19, 2010\*\*

Before: O'SCANNLAIN, TALLMAN, and BEA, Circuit Judges.

Luis Torres Falfan and Angelica Maria Medina Bahena, husband and wife and natives and citizens of Mexico, petition for review of the Board of Immigration Appeals' ("BIA") order denying their motion to remand and dismissing their

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

appeal of an immigration judge's decision denying their applications for cancellation of removal. We dismiss the petition for review.

We lack jurisdiction to review the agency's denial of cancellation of removal on hardship grounds. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

Petitioners' contentions that the BIA violated their due process rights by misapplying the law to the facts of their case and disregarding their evidence of hardship are not supported by the record and do not amount to colorable constitutional claims. *See Mendez-Castro v. Mukasey*, 552 F.3d 975, 980 (9th Cir. 2009).

Petitioners' motion to augment the record is denied. *See* 8 U.S.C. § 1252(b)(4)(A) (“[T]he court of appeals shall decide the petition only on the administrative record on which the order of removal is based.”).

**PETITION FOR REVIEW DISMISSED.**