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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>FRANCISCO JAVIER AGUILAR,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 08-71365

Agency No. A074-321-009

MEMORANDUM*

On Petition for Review of an Order of the
Department of Homeland Security

Submitted September 13, 2010**

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

Francisco Javier Aguilar, a native and citizen of Mexico, petitions for review of the Department of Homeland Security’s order reinstating his 1996 deportation order under 8 U.S.C. § 1231(a)(5). We have jurisdiction to review the agency’s compliance with the reinstatement regulations, and we deny the petition for review.

* 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).

Contrary to Aguilar's contentions, the 2008 reinstatement order is valid because the record establishes that the immigration officer complied with the requirements set forth in 8 C.F.R. § 241.8. *See Morales-Izquierdo v. Gonzales*, 486 F.3d 484, 495 (9th Cir. 2007) (en banc) (when reviewing the reinstatement decision of an immigration official, court has jurisdiction to examine whether the petitioner is an alien, whether the petitioner was subject to a prior removal order, and whether the petitioner re-entered illegally).

PETITION FOR REVIEW DENIED.