

SEP 29 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JONAS ISABEL CRUZ-LUSTRE,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 09-71139

Agency No. A070-501-797

MEMORANDUM*

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

Submitted September 13, 2010**

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

Jonas Isabel Cruz-Lustre, a native and citizen of Mexico, petitions pro se 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.

Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo questions of

* 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).

law. *Mohammed v. Gonzales*, 400 F.3d 785, 791-92 (9th Cir. 2005). We deny the petition for review.

Contrary to Cruz-Lustre's contentions, the family unity waiver of inadmissibility under 8 U.S.C. § 1182(d)(11) is not available to aliens seeking to establish good moral character for the purposes of cancellation of removal.

Sanchez v. Holder, 560 F.3d 1028, 1032 (9th Cir. 2009) (en banc).

Cruz-Lustre's contention that the agency violated due process by not considering the hardship in the aggregate is not supported by the record.

PETITION FOR REVIEW DENIED.