

APR 15 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALBERTO BURROLA-MORENO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-72629

Agency No. A036-891-532

MEMORANDUM*

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

Submitted April 5, 2011**

Before: B. FLETCHER, CLIFTON, and BEA, Circuit Judges.

Alberto Burrola-Moreno, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's removal order. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for substantial evidence the agency's determination that there

* 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).

is reason to believe an alien is or has been an illicit trafficker in any controlled substance. *Alarcon-Serrano v. INS*, 220 F.3d 1116, 1119 (9th Cir. 2000). We dismiss the petition for review.

Substantial evidence supports the agency's determination that Burrola-Moreno is or has been an illicit trafficker in a controlled substance. *See id.* at 1120 (“While a generous fact-finder might have believed [petitioner's] version of the facts, both the BIA and IJ were clearly within reason on these facts and circumstances to conclude otherwise.”). Accordingly, Burrola-Moreno is inadmissible under 8 U.S.C. § 1182(a)(2)(C)(i). We therefore dismiss the petition for review. *See* 8 U.S.C. § 1252(a)(2)(C); *Lopez-Molina v. Ashcroft*, 368 F.3d 1206, 1209-1211 (9th Cir. 2004).

PETITION FOR REVIEW DISMISSED.