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U.S. COURT OF APPEALS

## NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RIGOBERTO EDUARDO CONTRERAS,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-73667

Agency No. A205-718-193

MEMORANDUM\*

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

Submitted May 24, 2016\*\*

Before: REINHARDT, W. FLETCHER, and OWENS, Circuit Judges.

Rigoberto Eduardo Contreras, a native and citizen of Mexico, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") removal order. Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo questions of law, *Delgado-*

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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).

*Hernandez v. Holder*, 697 F.3d 1125, 1126 (9th Cir. 2012), and we deny in part and dismiss in part the petition for review.

To the extent Contreras contends that the agency erred in pretermining his application for cancellation of removal because he was seeking post-conviction relief, his contention fails because the conviction was final for immigration purposes. *See Planes v. Holder*, 652 F.3d 991, 996 (9th Cir. 2011).

We lack jurisdiction to consider Contreras's challenges to the agency's determination that he is statutorily ineligible for cancellation of removal based on his conviction under California Health & Safety Code § 11377(a), and his contentions that he mistakenly withdrew his asylum application and was unable to refute the charge of removability because he was unrepresented, where he failed to exhaust these claims before the BIA. *See Tijani v. Holder*, 628 F.3d 1071, 1080 (9th Cir. 2010).

In light of these dispositive conclusions, we do not reach Contreras's contentions regarding hardship and discretion. *See Simeonov v. Ashcroft*, 371 F.3d 532, 538 (9th Cir. 2004) ("As a general rule courts and agencies are not required to make findings on issues the decision of which is unnecessary to the results they reach." (citation and quotation marks omitted)).

**PETITION FOR REVIEW DENIED in part; DISMISSED in part.**