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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MINERVA LETICIA AVILES-  
OCAMPO,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 15-70859

Agency No. A205-712-814

MEMORANDUM\*

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

Submitted July 26, 2016\*\*

Before: SCHROEDER, CANBY, and CALLAHAN, Circuit Judges.

Minerva Leticia Aviles-Ocampo, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's order of removal. We have jurisdiction under

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

8 U.S.C. § 1252. We review de novo legal claims, *Simeonov v. Ashcroft*, 371 F.3d 532, 535 (9th Cir. 2004), and deny the petition for review.

Aviles-Ocampo does not challenge the agency's dispositive determination that her petty theft with priors convictions constitute crimes involving moral turpitude that render her statutorily ineligible for cancellation of removal. *See* 8 U.S.C. § 1229b(b)(1)(B)-(C); *Rizk v. Holder*, 629 F.3d 1083, 1091 n. 3 (9th Cir. 2011) (issues not raised in an opening brief are waived).

We reject Aviles-Ocampo's contention that the BIA engaged in improper fact-finding in determining she was not eligible for cancellation of removal and declining to remand to the immigration judge.

In light of our disposition, we do not reach Aviles-Ocampo's remaining contention regarding whether her convictions constitute aggravated felonies. *See Simeonov*, 371 F.3d at 538.

**PETITION FOR REVIEW DENIED.**