

DEC 21 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ROMALDO GARCIA-GARCIA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 12-70179

Agency No. A200-243-030

MEMORANDUM*

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

Submitted December 19, 2012**

Before: GOODWIN, WALLACE, and FISHER, Circuit Judges.

Romaldo Garcia-Garcia, 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 removal order. We have jurisdiction under 8 U.S.C. § 1252.

* 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).

Reviewing de novo questions of law, *Cabantac v. Holder*, 693 F.3d 825, 826 (9th Cir. 2012) (per curiam), we deny the petition for review.

The agency correctly concluded that Garcia-Garcia was statutorily ineligible for cancellation of removal due to his conviction for possession of a controlled substance in violation of section 11377(a) of the California Health and Safety Code, *see Esquivel-Garcia v. Holder*, 593 F.3d 1025, 1028 (9th Cir. 2010) (observing that a conviction for a controlled-substance violation renders an alien statutorily ineligible for cancellation of removal), because a modified categorical analysis of the criminal complaint, read in conjunction with the transcript of his plea hearing, establishes that Garcia-Garcia's conviction relates to the federally controlled substance of methamphetamine, *see Cabantac*, 693 F.3d at 826 (concluding that a petitioner had suffered a conviction for a controlled-substance violation where judicially noticeable documents indicated that he had pled guilty to possession of methamphetamine).

PETITION FOR REVIEW DENIED.