

FILED

FOR PUBLICATION

FEB 24 2014

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

CRISANTO CARINO RAGASA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 12-72262

Agency No. A037-485-221

ORDER

Before: HAWKINS, McKEOWN, and BEA, Circuit Judges.

For the reasons to be set forth in a disposition to follow, we deny petitioner Ragasa’s claim for citizenship. However, we grant the petition for review because his Hawai‘i state conviction does not constitute a predicate offense for purposes of removability under Section 237(a)(2)(B)(i) of the INA. Therefore, we order the United States to release Ragasa from custody forthwith.