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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOSE ALFONSO TIJERINA,

Petitioner - Appellant,

v.

DEPARTMENT OF HOMELAND
SECURITY DISTRICT DIRECTOR U.S.
IMMIGRATION,

Respondent - Appellee.

No. 13-55655

D.C. No. 2:12-cv-10805-DOC

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
David O. Carter, District Judge, Presiding

Submitted November 18, 2014**

Before: LEAVY, FISHER, and N.R. SMITH, Circuit Judges.

Jose Alfonso Tijerina appeals pro se from the district court's order denying his petition for a writ of error coram nobis. We have jurisdiction under 28 U.S.C.

* 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).

§ 1291. We review de novo the denial of a petition for a writ of error coram nobis, *see United States v. Riedl*, 496 F.3d 1003, 1005 (9th Cir. 2007), and we affirm.

In his petition, Tijerina contended that he was improperly removed from the United States without receiving a hearing on his claim for relief under the Convention Against Torture. The district court properly declined to entertain Tijerina's petition because the sole means to challenge an order of removal is by filing a petition for review with the appropriate court of appeals. *See* 8 U.S.C. § 1252(a)(5) and (b)(9); *Martinez v. Napolitano*, 704 F.3d 620, 622 (9th Cir. 2012).

AFFIRMED.