NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DAVID OCTAVIO URRUTIA-GUERRA,	No. 13-72927
Petitioner,	
v.	Agency No. A070-068-355
LORETTA E. LYNCH, Attorney General,	MEMORANDUM[*]
Respondent.	

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

July 21, 2015[**]

Before: CANBY, BEA, and MURGUIA, Circuit Judges.

David Octavio Urrutia-Guerra, a native and citizen of Guatemala, petitions

pro se for review of the Board of Immigrations Appeals' ("BIA") order dismissing

his appeal from an immigration judge's decision denying his applications for

special rule cancellation of removal, asylum, withholding of removal, and

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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).

protection under the Convention Against Torture ("CAT"). Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo questions of law. *Lopez-Vasquez v. Holder*, 706 F.3d 1072, 1078 (9th Cir. 2013). We dismiss in part and deny in part the petition for review.

We lack jurisdiction to consider Urrutia-Guerra's contentions regarding eligibility for asylum and withholding of removal based on a particular social group comprised of Guatemalans returning to Guatemala from the United States, where Urrutia-Guerra failed to exhaust these contentions before the BIA. *See Tijani v. Holder*, 628 F.3d 1071, 1080 (9th Cir. 2010) (the court lacks jurisdiction to consider legal claims not presented in an alien's administrative proceedings).

Urrutia-Guerra has not raised, and has therefore waived, any challenge to the agency's denial of special rule cancellation of removal and CAT relief. *See Rizk v. Holder*, 629 F.3d 1083, 1091 n.3 (9th Cir. 2011) (issues not raised in an opening brief are waived).

PETITION FOR REVIEW DISMISSED in part; DENIED in part.