

DEC 15 2015

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOSE ALFONSO MONROY-OLAGUE,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 13-73794

Agency No. A205-156-533

MEMORANDUM*

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

Submitted December 9, 2015**

Before: WALLACE, RAWLINSON, and IKUTA, Circuit Judges.

Jose Alfonso Monroy-Olague, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for cancellation of removal. We dismiss the petition for review.

* 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).

We lack jurisdiction to review the agency’s discretionary decision, pursuant to 8 U.S.C. § 1101(f) (final paragraph), that Monroy-Olague lacked good moral character. *See Lopez-Castellanos v. Gonzales*, 437 F.3d 848, 854 (9th Cir. 2006). Monroy-Olague’s contention challenging the IJ’s consideration of the equities in his case does not constitute a colorable constitutional claim or question of law that would invoke our jurisdiction. *See* 8 U.S.C. § 1252(a)(2)(D); *see also Bazua-Cota v. Gonzales*, 466 F.3d 747, 748-49 (9th Cir. 2006) (while “[t]his court retains jurisdiction over petitions for review that raise colorable constitutional claims or questions of law,” a petitioner may not attack a discretionary decision simply by phrasing his abuse of discretion challenge as a question of law).

PETITION FOR REVIEW DISMISSED.