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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOSE MANUEL PEREZ-SALAZAR,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-70362

Agency No. A099-822-466

MEMORANDUM*

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

Submitted November 18, 2015**

Before: TASHIMA, OWENS, and FRIEDLAND, Circuit Judges.

Jose Manuel Perez-Salazar, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing his appeal from an Immigration Judge’s (“IJ”) decision finding him removable and denying his application for cancellation of removal. We have jurisdiction under 8 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).

§ 1252. We review de novo questions of law. *Coronado v. Holder*, 759 F.3d 977, 982 (9th Cir. 2014). We deny the petition for review.

The agency correctly determined that Perez-Salazar's conviction under Cal. Health and Safety Code § 11377(a), for possession of methamphetamine, constitutes a controlled substance violation. *See id.* at 984-86 (holding that Cal. Health & Safety Code § 11377(a) is divisible and subject to the modified categorical approach). Perez-Salazar's argument challenging *Coronado's* treatment of Cal. Health & Safety Code § 11377(a) is foreclosed by this court's decision in *United States v. Torre-Jimenez*, 771 F.3d 1163, 1165-67 (9th Cir. 2014).

Before this court, Perez-Salazar does not address, and therefore has waived any challenge to, the BIA's determination that he abandoned any challenge to the IJ's denial of cancellation. *See Rizk v. Holder*, 629 F.3d 1083, 1091 n.3 (9th Cir. 2011) (a petitioner waives an issue by failing to raise it in the opening brief).

Perez-Salazar's motion to remand is denied.

PETITION FOR REVIEW DENIED.