

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 21 2019

FOR THE NINTH CIRCUIT

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

JOSE LUIS GARCIA, AKA Jose Luis
Garcia Morales,

Petitioner,

v.

WILLIAM P. BARR, Attorney General,

Respondent.

No. 16-71889

Agency No. A092-263-093

MEMORANDUM*

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

Submitted February 19, 2019**

Before: FERNANDEZ, SILVERMAN, and WATFORD, Circuit Judges.

Jose Luis Garcia, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' reissued decision adopting and affirming an immigration judge's removal order. Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss the petition for review.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Assuming the agency's denial of a waiver of inadmissibility under former INA § 212(c) is under review, we lack jurisdiction to review this discretionary determination. *See Vargas-Hernandez v. Gonzales*, 497 F.3d 919, 923 (9th Cir. 2007). Garcia does not raise a colorable legal or constitutional claim to invoke our jurisdiction. *See id.* (abuse of discretion challenges, even if cast as legal errors, are not colorable claims).

PETITION FOR REVIEW DISMISSED.