

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 9 2020

FOR THE NINTH CIRCUIT

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

LUIS ALBERTO FIGUEROA CHAVEZ,

No. 19-72644

Petitioner,

Agency No. A044-771-022

v.

MEMORANDUM*

WILLIAM P. BARR, Attorney General,

Respondent.

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

Submitted December 2, 2020**

Before: WALLACE, CLIFTON, and BRESS, Circuit Judges.

Luis Alberto Figueroa Chavez, 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 motion to terminate proceedings. We have jurisdiction under 8 U.S.C. § 1252. We review de novo legal questions, and we review for abuse of discretion the denial of a motion to terminate.

* 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).

Dominguez v. Barr, 975 F.3d 725, 734 (9th Cir. 2020). We deny the petition for review.

This court’s decision in *United States v. Rodriguez-Gamboa*, 972 F.3d 1148 (9th Cir. 2020), clarifies “as a matter of law, that California’s definition of methamphetamine is a categorical match to the definition under the federal [Controlled Substances Act].” *Id.* at 1154 n.5. Thus, the IJ did not err or abuse discretion in denying Figueroa Chavez’s motion to terminate based on the determination that his conviction for possession of methamphetamine for sale constitutes a controlled substance offense.

PETITION FOR REVIEW DENIED.