

**FILED**

**NOV 26 2007**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

JAIME MOZO-GENEL,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 06-74595

Agency No. A98-209-643

MEMORANDUM\*

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

Submitted November 13, 2007\*\*

Before: TROTT, W. FLETCHER, and CALLAHAN, Circuit Judges.

---

\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

Jaime Mozo-Genel, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals decision affirming the immigration judge's denial of petitioner's application for cancellation of removal.

We lack jurisdiction to consider petitioner's challenge to the IJ's extreme hardship determination because it is a nonreviewable discretionary determination. *See Romero-Torres v. Ashcroft*, 327 F.3d 887, 890 (9th Cir. 2003) (citing 8 U.S.C. § 1252(a)(2)(B)). Petitioner's contention that the agency violated his due process rights by failing to properly evaluate the evidence of hardship does not amount to a colorable constitutional claim. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

**PETITION FOR REVIEW DISMISSED.**