

FEB 15 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

JUAN MANUEL VENTURA-TOVAR,  
a.k.a. Manuel Ventura,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 07-73499

Agency No. A92-862-252

MEMORANDUM \*

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

Submitted February 11, 2008 \*\*

Before: WALLACE, LEAVY and RYMER, Circuit Judges.

This is a petition for review of the Board of Immigration Appeals' ("BIA")  
decision dismissing petitioner's appeal from the Immigration Judge's order  
denying petitioner suspension of deportation.

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\* 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).

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A review of the administrative record demonstrates that there is substantial evidence to support the BIA's decision that petitioner failed to establish continuous physical presence in the United States for a period of not less than ten years as required for suspension of deportation under former section 244 of the Immigration and Nationality Act (the "Act"), 8 U.S.C. § 1254, *repealed by* section 304(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Division C of Pub. L. No. 104-208, 110 Stat. 3009. *See also Ram v. INS*, 243 F.3d 510 (9th Cir. 2001). Accordingly, respondent's unopposed motion for summary disposition is granted because the questions raised by this petition for review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (*per curiam*).

All other pending motions are denied as moot. The temporary stay of deportation confirmed by Ninth Circuit General Order 6.4(c) shall continue in effect until issuance of the mandate.

**PETITION FOR REVIEW DENIED.**