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

NOT FOR PUBLICATION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

MIGUEL MARTINEZ-ARAUJO,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 07-74319

Agency No. A96-169-333

MEMORANDUM*

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

Submitted March 10, 2008**

Before: T.G. NELSON, TASHIMA and BYBEE, Circuit Judges.

This is a petition for review of the Board of Immigration Appeals' ("BIA")

* 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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order finding petitioner statutorily ineligible for cancellation of removal because he was convicted of a crime of domestic violence.

Aliens who are convicted of crimes of domestic violence are statutorily ineligible for cancellation of removal. *See* 8 U.S.C. §§ 1227(a)(2)(E)(i), 1229b(b)(1)(C); *see also Gonzalez-Gonzalez v. Ashcroft*, 390 F.3d 649, 651-53 (9th Cir. 2004). Petitioner does not dispute that he was convicted of a crime of domestic violence. Petitioner is statutorily ineligible for cancellation of removal because of this domestic violence conviction. *See id.* Accordingly, respondent's 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) (stating standard).

All other pending motions are denied as moot. The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) and *Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004), shall continue in effect until issuance of the mandate.

PETITION FOR REVIEW DENIED.

LL/MOATT