

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAY 02 2008

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

CRISTIAN MANUEL SILVA-PORTO,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 04-74676

Agency No. A78-535-532

MEMORANDUM*

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

Submitted April 22, 2008**

Before: GRABER, FISHER, and BERZON, Circuit Judges.

Cristian Manuel Silva-Porto, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order summarily affirming

* 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).

an immigration judge's order denying his application for cancellation of removal.

We dismiss the petition for review.

We lack jurisdiction to review Silva-Porto's contention he was not informed of his apparent eligibility to file for adjustment of status under 8 U.S.C. § 1154(a)(1)(B)(ii)(I) because he did not exhaust this argument before the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004) (holding that the court lacks jurisdiction to review issues not raised during administrative proceedings).

PETITION FOR REVIEW DISMISSED.