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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ALBERTA BRAMBILA-MONTANO,</p> <p>Petitioner,</p> <p>v.</p> <p>MICHAEL B. MUKASEY, Attorney General,</p> <p>Respondent.</p>

No. 06-71914

Agency No. A76-341-162

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.

Alberta Brambila-Montano, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's order denying her application for cancellation of

* 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).

removal pursuant to 8 U.S.C. § 1229b(b)(2) (“Special rule for battered spouse or child”). Our jurisdiction is governed by 8 U.S.C. § 1252, and we deny in part and dismiss in part the petition for review.

Brambila-Montano does not challenge the agency’s dispositive good moral character determination and has therefore failed to establish eligibility for cancellation of removal. *See* 8 U.S.C. § 1229b(b)(2)(A); *Lopez-Umanzor v. Gonzales*, 405 F.3d 1049, 1053 (9th Cir. 2005). We therefore do not reach Brambila-Montano’s contentions concerning the agency’s extreme cruelty determination.

We lack jurisdiction to review Brambila-Montano’s procedural due process contention because she did not exhaust this argument before the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004) (the court lacks jurisdiction to review procedural process claims not raised during administrative proceedings).

PETITION FOR REVIEW DENIED in part; DISMISSED in part.