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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>CARLOS F. BASTIDAS BARRON,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>MICHAEL B. MUKASEY, Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 04-74979

Agency No. A73-877-260

MEMORANDUM\*

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

Submitted May 20, 2008\*\*

Before: PREGERSON, TASHIMA, and GOULD, Circuit Judges.

Carlos F. Bastidas Barron, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ order summarily affirming an immigration judge’s (“IJ”) decision denying his application for suspension of

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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).

deportation. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review the IJ's continuous physical presence determination for substantial evidence. *Vera-Villegas v. INS*, 330 F.3d 1222, 1230 (9th Cir. 2003). We deny the petition for review.

Substantial evidence supports the IJ's determination that Bastidas Barron did not demonstrate seven years of continuous physical presence where the record contains a Notice and Request for Disposition form, printed in English and Spanish and signed by Bastidas Barron, stating that he was giving up his right to a hearing before an IJ and agreeing to return to Mexico. *See Vasquez-Lopez v. Ashcroft*, 343 F.3d 961, 974 (9th Cir. 2003) (per curiam).

**PETITION FOR REVIEW DENIED.**