

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 01 2008

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

GUILLERMO ALFONSO PINEDA-
CRUZ,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 05-71507

Agency No. A46-292-282

MEMORANDUM *

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

Submitted July 22, 2008**

Before: B. FLETCHER, THOMAS, and WARDLAW, Circuit Judges.

Guillermo Alfonso Pineda-Cruz, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an

* 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).

immigration judge's order determining that Pineda-Cruz is removable under 8 U.S.C. § 1182(a)(2)(C)(i), as an illicit trafficker of marijuana. We have jurisdiction to determine our own jurisdiction, *Lopez-Molina v. Ashcroft*, 368 F.3d 1206, 1208 (9th Cir. 2004), and we dismiss the petition for review.

Substantial evidence supports the agency's determination that it had reason to believe Pineda-Cruz knowingly colluded with others in the illicit trafficking of marijuana. Pineda-Cruz's sworn statement indicated that he accepted \$200 to accompany his cousin across the border and was aware that there were drugs in the car his cousin was driving. *See Alarcon-Serrano v. INS*, 220 F.3d 1116, 1120-21 (9th Cir. 2000). We therefore lack jurisdiction over the petition for review. *See* 8 U.S.C. § 1252(a)(2)(C); *Lopez-Molina*, 368 F.3d at 1209.

PETITION FOR REVIEW DISMISSED.