

DEC 28 2007

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

VICTOR MANUEL ISLAS GODOY;  
GEORGINA MARTINEZ MEDINA,

Petitioners,

v.

MICHAEL B. MUKASEY,\*\* Attorney  
General,

Respondent.

No. 06-74736

Agency Nos. A95-446-878  
A95-446-879

MEMORANDUM\*

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

Submitted December 20, 2007\*\*\*

Before: GOODWIN, WALLACE, and HAWKINS, Circuit Judges.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* Michael B. Mukasey is substituted for his predecessor, Alberto R. Gonzales, as Attorney General of the United States, pursuant to Fed. R. App. P. 43(c)(2).

\*\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Victor Manuel Islas Godoy and his wife Georgina Martinez Medina seek review of an order of the Board of Immigration Appeals (“BIA”) summarily affirming an immigration judge’s (“IJ”) order denying their applications for cancellation of removal. To the extent we have jurisdiction, it is pursuant to 8 U.S.C. § 1252. We review de novo claims of constitutional violations in immigration proceedings, *see Ram v. INS*, 243 F.3d 510, 516 (9th Cir. 2001), and we dismiss in part and deny in part the petition for review.

We lack jurisdiction to review petitioners’ contentions regarding the IJ’s denial of petitioners’ motion for a continuance, the IJ’s impartiality, and the ineffective assistance of petitioners’ former counsel because petitioners failed to raise these issues before the BIA and thereby failed to exhaust their administrative remedies. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004) (explaining that this court lacks jurisdiction to review contentions not raised before the agency).

We are not persuaded that petitioners’ removal results in the deprivation of their children’s rights. *See Cabrera-Alvarez v. Gonzales*, 423 F.3d 1006, 1012-13 (9th Cir. 2005).

**PETITION FOR REVIEW DISMISSED in part; DENIED in part.**