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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WENDY COLIMA ARROYO, Petitioner, v. ERIC H. HOLDER, Jr., Attorney General, Respondent.	No. 12-72833 Agency No. A072-239-919 MEMORANDUM[*]

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

Submitted December 17, 2013[**]

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

Wendy Colima Arroyo, 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 decision denying her application for cancellation of removal. We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law.

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

[**] The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Morales-Alegria v. Gonzalez, 449 F.3d 1051, 1053 (9th Cir. 2006). We deny the petition for review.

The BIA correctly concluded that Colima Arroyo's conviction under California Penal Code § 476, which resulted in a one–year prison sentence, constitutes an aggravated felony under 8 U.S.C. § 1101(a)(43)(R) that renders her statutorily ineligible to seek cancellation of removal. *See* 8 U.S.C. § 1229b(a)(3); *see also Morales-Alegria,* 449 F.3d at 1058 (a conviction under California Penal Code § 476 is categorically a forgery offense).

Colima Arroyo's challenge to this court's decision in *Morales-Alegria* also fails. *See Avagyan v. Holder*, 646 F.3d 672, 677 (9th Cir. 2011) (A three–judge panel cannot reconsider or overrule circuit precedent with exceptions not relevant here).

PETITION FOR REVIEW DENIED.