

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

## **ORDER**

Respondent moves to dismiss this petition for review of the order of removal by the Board of Immigration Appeals ("BIA") for lack of jurisdiction under 8 U.S.C. § 1252(a)(2)(C).<sup>1</sup> Respondent contends that petitioner Efren Castro-Espinosa's convictions for harboring and aiding and abetting the harboring of an illegal alien under 8 U.S.C. § 1324(a)(1)(A)(iii) are aggravated felonies. We agree with respondent and dismiss.

This court lacks jurisdiction to review an order of removal

applies to one who knowingly transports an illegal alien  
within the United States;<sup>4</sup> and subsection (iii) applies to one

We hold that the offense of harboring illegal aliens under section 1324(a)(1)(A)(iii) is an aggravated felony pursuant to section 1101(a)(43)(N). Because Castro-Espinosa was convicted of an aggravated felony, we lack jurisdiction over this petition for review. See Aragon-Ayon, 206 F.3d at 849-50. We therefore grant respondeo's motion to dismiss.