

United States Court of Appeals
For the Eighth Circuit

No. 20-2173

Maricruz Zavala

Petitioner

v.

Monty Wilkinson, Acting Attorney General of the United States¹

Respondent

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

Submitted: February 23, 2021

Filed: March 8, 2021

[Unpublished]

Before BENTON, MELLOY, and KELLY, Circuit Judges.

PER CURIAM.

¹Monty Wilkinson has been appointed to serve as the Acting Attorney General of the United States, and is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

Maricruz Zavala, a native and citizen of Mexico, petitions for review of an order of the Board of Immigration Appeals dismissing her appeal from an immigration judge's decision finding her removable for having committed a crime involving moral turpitude and denying cancellation of removal. Zavala argues that her conviction under 42 U.S.C. § 408(a)(7)(B) is not a crime involving moral turpitude. As the agency noted, in Guardado-Garcia v. Holder, 615 F.3d 900, 902 (8th Cir. 2010), this court held that a conviction under section 408(a)(7)(B) is a crime involving moral turpitude. Although Zavala argues that decision was wrongly decided, we are bound by it. See United States v. Pryor, 927 F.3d 1042, 1044-45 (8th Cir. 2019) (reaffirming that one panel is bound by decisions of earlier panels absent en banc review, despite party's argument that earlier decision was wrongly decided); Mader v. United States, 654 F.3d 794, 800 (8th Cir. 2011) (en banc) ("It is a cardinal rule in our circuit that one panel is bound by the decision of a prior panel.").

Accordingly, we deny the petition for review.
