NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with Fed. R. App. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Argued September 18, 2024
Decided February 19, 2025

Before

KENNETH F. RIPPLE, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 23-1549

FERMIN ESTRADA-RAMOS,
Petitioner,

v.

PAMELA J. BONDI,
Attorney General of the United States
Respondent.*

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

No. A089-283-713

O R D E R

Fermin Estrada-Ramos asks this court to review a ruling by the Board of Immigration Appeals that he is ineligible for cancellation of removal. Because his argument is foreclosed by circuit precedent, we deny his petition for review.

* Pursuant to Federal Rule of Appellate Procedure 43(c)(2), Attorney General Pamela J. Bondi is automatically substituted for former Attorney General Merrick B. Garland as Respondent.

Estrada-Ramos is a Mexican national who entered the United States without authorization in 1995, when he was nine years old. In 2010, the Department of Homeland Security issued him a Notice to Appear in a removal proceeding. In response, Estrada-Ramos applied for cancellation of removal on the grounds that his removal would cause exceptional and extremely unusual hardship to his wife and children who are United States citizens.

At a 2020 merits hearing, the Immigration Judge denied his application for cancellation of removal. The judge ruled that he was ineligible for cancellation under federal law because he was previously convicted of a "crime of violence" and because he had committed two "crimes involving moral turpitude." Estrada-Ramos appealed the decision to the Board of Immigration Appeals, which found no clear factual error or legal error and affirmed. Estrada-Ramos now appeals to our court.

Estrada-Ramos argues that he is eligible for cancellation because the Illinois domestic battery offense for which he was convicted in 2013 is neither a "crime of violence" nor a "crime of moral turpitude." Because established circuit law holds that Illinois domestic battery is a crime of violence, we must reject his position.

Under federal law, "[a]ny alien who at any time after admission is convicted of a crime of domestic violence," 8 U.S.C. § 1227(a)(2)(E)(i), is ineligible for cancellation of removal, *id.* at § 1229b(b)(1)(C). A "crime of domestic violence" under federal law is "any crime of violence (as defined in section 16 of [T]itle 18) against" a current or former spouse, domestic partner, person with whom one shares a child, or "an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs." *Id.* at § 1227(a)(2)(E)(1). A crime of violence under Title 18, section 16, is "an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another." 18 U.S.C. § 16(a).

To determine whether a state offense is a crime of domestic violence as defined above in federal immigration law, courts use the categorical approach. *See Beltran-Aguilar v. Whitaker*, 912 F.3d 420, 421 (7th Cir. 2019). Under this approach, without looking to the facts of the particular case, courts consider whether the "'state statute defining the crime of conviction' categorically fits within … the federal offense." *Moncrieffe v. Holder*, 569 U.S. 184, 190 (2013) (quoting *Gonzales v. Duenas-Alvarez*, 549 U.S. 183, 186 (2007)).

Our circuit law firmly holds that the state statute at issue here is a categorical fit for the federal "crime of domestic violence" under 8 U.S.C. § 1227(a)(2)(E)(i). Estrada-Ramos was convicted for violating 720 ILCS 5/12-3.2(a)(1), which criminalizes domestic battery. Under that statute, "[a] person commits domestic battery if he or she knowingly without legal justification by any means … causes bodily harm to any family or household member …." 720 ILCS 5/12-3.2(a)(1). We have held several times that this statute qualifies as a crime of domestic violence under 8 U.S.C. § 1227. *See, e.g.*, *United States v. Upton*, 512 F.3d 394, 405 (7th Cir. 2008) (holding Illinois domestic battery is a crime of domestic violence because causing bodily harm entails the use of physical force against the person of another); *LaGuerre v. Mukasey*, 526 F.3d 1037, 1039 (7th Cir. 2008) (same); *De Leon Castellanos v. Holder*, 652 F.3d 762, 767 (7th Cir. 2011) (upholding *Upton* and *LaGuerre*); *United States v. LeFlore*, 927 F.3d 472, 475 (7th Cir. 2019) (stating Illinois domestic battery is a crime of violence).

To succeed in asking us to overturn clear precedent, Estrada-Ramos must identify "a compelling reason," such as a contrary decision "of a higher court, or other supervening developments, such as a statutory overruling." *Santos v. United States*, 461 F.3d 886, 891 (7th Cir. 2006) (internal quotations omitted). He has not done so. Instead, he offers alternative statutory interpretations and a single out-of-circuit decision. As Estrada-Ramos sees it, the Illinois statute criminalizes conduct resulting in bodily harm, not the use of force *per se*. Further, according to Estrada-Ramos, construing the statute as a "crime of violence" would render the second half of the federal definition, 18 U.S.C. § 16(b), surplusage (regardless of the fact that section 16(b) has been found unconstitutionally vague). But Estrada-Ramos's suggested interpretations are unavailing. "Neither simple disagreement with a rule nor the possibility that a rule is debatable constitutes a compelling reason" to overturn circuit precedent. *United States v. Rivers*, 108 F.4th 973, 979 (7th Cir. 2024). And the out-of-circuit case that he cites, *Chrzanoski v. Ashcroft*, 327 F.3d 188 (2d Cir. 2003), is no longer good law. *See United States v. Scott*, 990 F.3d 94, 105 (2d Cir. 2021) (stating that *Chrzanoski*'s holding that "the intentional causation of injury does *not* necessarily involve the use of force" had been abrogated (quoting *Chrzanosski*, 327 F.3d at 195)).

Consistent with our precedent, we hold that Illinois domestic battery is a crime of domestic violence that renders Estrada-Ramos ineligible for cancellation of removal. Because this ground is sufficient to decide his petition, we decline to opine on whether Illinois domestic battery is a crime of moral turpitude under 8 U.S.C. § 1227.

DENIED.