

United States Court of Appeals for the Fifth Circuit

No. 22-60463
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 4, 2023

Lyle W. Cayce
Clerk

JOSE ARGETA-CIERA,

Petitioner,

versus

MERRICK GARLAND, *U.S. Attorney General,*

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
Agency No. A216 075 192

Before DAVIS, HIGGINSON, and DOUGLAS, *Circuit Judges.*

PER CURIAM:*

Jose Argeta-Ciera, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals's (BIA) decision dismissing his appeal from the immigration judge denial of his application for cancellation of removal. We review de novo whether jurisdiction exists to decide an issue. *Arulnanthy v. Garland*, 17 F.4th 586, 592 (5th Cir. 2021).

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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On review, Argeta-Ciera argues that the BIA erred in determining that he failed to establish the requisite hardship to his relatives in order to qualify for cancellation of removal. We lack the jurisdiction to review the denial of certain types of discretionary relief, including cancellation of removal under 8 U.S.C. § 1229b. 8 U.S.C. § 1252(a)(2)(B)(i). The hardship determination for cancellation of removal “is a discretionary and authoritative decision” that “is beyond [this court’s] review” pursuant to § 1252(a)(2)(B)(i). *Castillo-Gutierrez v. Garland*, 43 F.4th 477, 481 (5th Cir. 2022).

Accordingly, Argeta-Ciera’s petition for review is DISMISSED. The Government’s motion to dismiss is DENIED as moot.