

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

March 19, 2009

Charles R. Fulbruge III
Clerk

No. 08-60054
Summary Calendar

UBALDO HERNANDEZ

Petitioner

v.

ERIC H HOLDER, JR, U S ATTORNEY GENERAL

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A99 140 198

Before JOLLY, BENAVIDES, and HAYNES, Circuit Judges.

PER CURIAM:*

Ubaldo Hernandez, a native and citizen of Mexico, has petitioned for review of the Board of Immigration Appeals' (BIA) summary dismissal of his appeal for failure to file a supporting brief pursuant to 8 C.F.R. § 1003.1(d)(2)(i)(E). Hernandez has failed to brief, and has thus waived, the central issue whether the BIA erred in summarily dismissing his appeal on this basis. *See Soadjede v. Ashcroft*, 324 F.3d 830, 833 (5th Cir. 2003). Accordingly, he has not shown error in the BIA's decision, and his petition for review is DENIED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.