

August 5, 2005

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-60586  
Summary Calendar

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MARTIN JAQUEZ-VEGA,

Petitioner,

versus

ALBERTO R. GONZALES, U.S. ATTORNEY GENERAL,

Respondent.

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A91 805 083  
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Before HIGGINBOTHAM, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:\*

Martin Jaquez-Vega (Jaquez), a native and citizen of Mexico, seeks review of the Board of Immigration Appeal's (BIA) June 3, 2004, decision, which he states affirmed the Immigration Judge's (IJ) denial of his motion to reopen the removal proceedings. The BIA's June 3, 2004, decision, however, denied Jaquez's motion to reconsider. Jaquez offers no legal argument relevant to the BIA's denial of his motion to reconsider. Instead, Jaquez's brief is devoted to why the IJ erred in denying Jaquez's motion

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

to reopen the removal proceedings and the BIA's January 28, 2004, affirmance of that denial. Jaquez did not file a petition for review from the denial of his motion to reopen the removal proceedings.

The BIA's denial of an appeal and its denial of a motion to reconsider are two separate final orders, each of which require their own petitions for review. Stone v. INS, 514 U.S. 386, 394 (1995). A timely petition for review is a jurisdictional requirement, and the lack thereof deprives this court of jurisdiction to review a decision of the BIA. 8 U.S.C. § 1252(a)(1), (b)(1); Karimian-Kaklaki v. INS, 997 F.2d 108, 111 (5th Cir. 1993). Under Stone, this court is without jurisdiction to review the BIA's denial of Jaquez's motion to reopen the removal proceedings. See Stone, 514 U.S. at 394. Furthermore, by failing to brief any issue relative to the BIA's denial of his motion to reconsider, he has waived the only viable appellate issue. See Rodriguez v. INS, 9 F.3d 408, 414 n.15 (5th Cir. 1993). Accordingly, Jaquez's petition for review is DENIED.