

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

September 11, 2008

Charles R. Fulbruge III
Clerk

No. 07-60298
Summary Calendar

LAURO GUTIERREZ-LLAMAS, also known as Larry Gutierrez

Petitioner

v.

MICHAEL B MUKASEY, U S ATTORNEY GENERAL

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A08 149 517

Before DAVIS, GARZA and PRADO, Circuit Judges.

PER CURIAM:*

Lauro Gutierrez-Llamas (Gutierrez), a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' (BIA) decision affirming a final order of removal. Gutierrez argues that he is eligible for relief under former 8 U.S.C. § 1182(a) (repealed), because that statute does not require the existence of a corresponding or comparable ground of removability in order to obtain discretionary relief, and the denial of relief under that section violates

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

equal protection. He also requests remand to pursue an application for adjustment of status.

To the extent that Gutierrez requests that he be allowed to apply for an adjustment of status through his United States citizen daughter, he has not adequately briefed this issue, see *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993), and we lack jurisdiction to address this claim because he did not request this relief before the BIA. See 8 U.S.C. § 1252(d)(1) (requiring exhaustion of administrative remedies); *Falek v. Gonzales*, 475 F.3d 285, 289 (5th Cir. 2007). Gutierrez's assertions that he is entitled to relief under § 1182(c) are foreclosed by our precedent. See *Vo v. Gonzales*, 482 F.3d 363 (5th Cir. 2007); *Avilez-Granados v. Gonzales*, 481 F.3d 869 (5th Cir. 2007); *Cantu v. Mukasey*, 267 F. App'x 321 (5th Cir. 2008) (unpublished).

The petition for review is DENIED.