

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

June 5, 2008

Charles R. Fulbruge III
Clerk

No. 07-60548
Summary Calendar

SHIVA SHARMA

Petitioner

v.

MICHAEL B MUKASEY, U S ATTORNEY GENERAL

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A97 518 705

Before HIGGINBOTHAM, DAVIS, and GARZA, Circuit Judges.

PER CURIAM:*

Shiva Sharma petitions this court to review a Notice of Intent to Issue a Final Administrative Removal Order issued by the Department of Homeland Security (DHS). The Notice of Intent charged Sharma with being removable based on prior aggravated felony convictions. Sharma argues that his state convictions for identity theft in the first degree, in violation of N. Y. PENAL LAW § 190.80, do not qualify as aggravated felonies for immigration purposes.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Respondent contends that this court lacks jurisdiction over the petition for review because it does not seek review of a final order of removal.

This court examines questions related to its own jurisdiction de novo. See *Balogun v. Ashcroft*, 270 F.3d 274, 277 (5th Cir. 2001). By statute, this court has jurisdiction to review only final orders of removal. See 8 U.S.C. § 1252(a); cf. *Moreira v. Mukasey*, 509 F.3d 709, 712-14 (5th Cir. 2007). By its very terms, the Notice of Intent from which Sharma seeks review is not a final order of removal. Thus, this court is without jurisdiction to review it.

Accordingly, the petition for review is DISMISSED for lack of jurisdiction.