

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

May 6, 2009

Charles R. Fulbruge III  
Clerk

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No. 08-60485  
Summary Calendar

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OBIDIO A ALVARADO

Petitioner

v.

ERIC H HOLDER, JR, U S ATTORNEY GENERAL

Respondent

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A29 916 199

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Before DAVIS, GARZA, and PRADO, Circuit Judges.

PER CURIAM:\*

Obidio A. Alvarado petitions this court for review of the Board of Immigration Appeals's (BIA's) summary dismissal of his appeal. Alvarado fails to address the BIA's reasons for the summary dismissal, specifically the BIA's conclusions that his notice of appeal failed to "meaningfully apprise the Board of the specific reasons underlying the challenge to the Immigration Judge's decision," that his brief was untimely, and that he failed to "reasonably explain"

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

his failure to file a timely brief. Accordingly, any arguments relating to the BIA's summary dismissal of his appeal are abandoned. *Soadjede v. Ashcroft*, 324 F.3d 830, 833 (5th Cir. 2003).

Further, because Alvarado failed to exhaust his claims by presenting them to the BIA, we are without jurisdiction to review the claims. *See* 8 U.S.C. § 1252(d)(1); *Toledo-Hernandez v. Mukasey*, 521 F.3d 332, 336 (5th Cir. 2008); *Townsend v. INS*, 799 F.2d 179, 181-82 (5th Cir. 1986) (conclusional statements in the notice of appeal did not preserve claim for the BIA's review).

PETITION DISMISSED.