

United States Court of Appeals  
for the Fifth Circuit

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No. 22-60463  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 4, 2023

Lyle W. Cayce  
Clerk

JOSE ARGETA-CIERA,

*Petitioner,*

*versus*

MERRICK GARLAND, *U.S. Attorney General,*

*Respondent.*

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Petition for Review of an Order of the  
Board of Immigration Appeals  
Agency No. A216 075 192

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Before DAVIS, HIGGINSON, and DOUGLAS, *Circuit Judges.*

PER CURIAM:\*

Jose Argeta-Ciera, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals's (BIA) decision dismissing his appeal from the immigration judge denial of his application for cancellation of removal. We review de novo whether jurisdiction exists to decide an issue. *Arulnanthy v. Garland*, 17 F.4th 586, 592 (5th Cir. 2021).

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\* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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On review, Argeta-Ciera argues that the BIA erred in determining that he failed to establish the requisite hardship to his relatives in order to qualify for cancellation of removal. We lack the jurisdiction to review the denial of certain types of discretionary relief, including cancellation of removal under 8 U.S.C. § 1229b. 8 U.S.C. § 1252(a)(2)(B)(i). The hardship determination for cancellation of removal “is a discretionary and authoritative decision” that “is beyond [this court’s] review” pursuant to § 1252(a)(2)(B)(i). *Castillo-Gutierrez v. Garland*, 43 F.4th 477, 481 (5th Cir. 2022).

Accordingly, Argeta-Ciera’s petition for review is **DISMISSED**. The Government’s motion to dismiss is **DENIED** as moot.