

United States Court of Appeals for the Fifth Circuit

No. 23-60190
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 12, 2023

Lyle W. Cayce
Clerk

JUAN MORAN,

Petitioner,

versus

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

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
Agency No. A091 602 986

Before ELROD, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:*

Juan Moran, a native and citizen of Mexico, petitions for review of an order of the Board of Immigration Appeals (BIA) dismissing his appeal from a decision of an Immigration Judge (IJ) denying his request for relief under former 8 U.S.C. § 1182(c) and ordering him removed. He argues that his due process rights were infringed when the IJ denied his request to adduce new

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

No. 23-60190

evidence on remand and that the BIA acted contrary to its own caselaw by rejecting his argument challenging the IJ's interpretation of the BIA's earlier remand order. Because relief under former § 1182(c) was discretionary, Moran had no due process rights in connection with these proceedings. *See Ramos-Portillo v. Barr*, 919 F.3d 955, 962–63 (5th Cir. 2019). Moreover, the BIA did not err in rejecting Moran's argument regarding the scope of its earlier remand order. *See Bianco v. Holder*, 624 F.3d 265, 273–74 (5th Cir. 2010). The petition for review is DENIED.