

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

United States Court of Appeals
Fifth Circuit

FILED
July 29, 2011

No. 10-60828
Summary Calendar

Lyle W. Cayce
Clerk

GORDON ANTHONY STRAKER, also known as Gordan A. Straker, also known as Gordon Straker, also known as Gordon A. Straker,

Petitioner

v.

ERIC H. HOLDER, JR., U. S. ATTORNEY GENERAL,

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A034 989 174

Before DAVIS, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Gordon Anthony Straker, a native and citizen of St. Vincent and the Grenadines, seeks a petition for review of the Board of Immigration Appeals' (BIA) order denying his motion to reopen his removal proceedings. The BIA concluded that Straker's motion, which was his second motion to reopen, was untimely and number-barred. *See* 8 U.S.C. § 1229a(c)(7); 8 C.F.R. § 1003.2(c)(2). He argues that the Supreme Court's decision in *Carachuri-Rosendo v. Holder*,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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130 S. Ct. 2577 (2010), undermined the grounds for the BIA's removal order because it established that his prior misdemeanor drug convictions did not qualify as aggravated felonies. Straker also asserts that the state's classification of his offenses as misdemeanors is controlling and that his convictions were too remote to be the bases for the denial of his request for relief.

Straker does not challenge the BIA's determination that his second motion to reopen was untimely or time-barred. Instead, he presents arguments that concern the validity of the BIA's January 2007 order of removal. Thus, because Straker has not addressed the basis on which his second motion to reopen was denied, he has abandoned the relevant issue for review by failing to brief it. *See Soadjede v. Ashcroft*, 324 F.3d 830, 833 (5th Cir. 2003). His petition for review is DENIED.