

United States Court of Appeals  
for the Fifth Circuit

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No. 22-60337

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United States Court of Appeals  
Fifth Circuit

**FILED**

January 8, 2024

Lyle W. Cayce  
Clerk

PAULINE TCHUENGUIA TAMNU,

*Petitioner,*

*versus*

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

*Respondent.*

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Appeal from the Board of Immigration Appeals  
Agency No. A213 315 742

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Before DUNCAN and WILSON, *Circuit Judges*, and MAZZANT, *District Judge*.<sup>\*</sup>

PER CURIAM:<sup>†</sup>

Pauline Tamnu, a citizen of Cameroon, petitioned for review of the Board of Immigration Appeals' ("BIA") June 1, 2022, order dismissing her appeal of the Immigration Judge's ("IJ") August 5, 2021, decision denying Tamnu's motion to reopen proceedings. After briefing and oral argument were completed, Tamnu and the Department of Homeland Security jointly

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<sup>\*</sup> United States District Judge for the Eastern District of Texas, sitting by designation.

<sup>†</sup> This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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moved the BIA to reopen removal proceedings on September 5, 2023. The parties to this appeal informed the court on December 29, 2023, that the BIA has granted that motion and remanded to the IJ for further proceedings.

The BIA's decision to reopen Tamnu's removal proceedings deprives us of jurisdiction over his petition. *See* 8 U.S.C. § 1252(a)(1) (limiting this court's jurisdiction to "final order[s] of removal"); *see also* *Moreira v. Mukasey*, 509 F.3d 709, 712–14 (5th Cir. 2007) (declining to construe the alien's petition "as requesting review of the BIA's eventual dismissal of his appeal" and dismissing the petition absent a final order of removal); *Koroma v. Holder*, 376 F. App'x 427, 427 (5th Cir. 2010) (dismissing for lack of jurisdiction after BIA reopened immigration proceedings). Therefore, we DISMISS Tamnu's petition for lack of jurisdiction.

DISMISSED.