

United States Court of Appeals for the Fifth Circuit

No. 22-60489
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
May 11, 2023
Lyle W. Cayce
Clerk

J. GUADALUPE SOLACHE GALARZA,

Petitioner,

versus

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

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
Agency No. A091 244 973

Before JONES, HAYNES, and OLDHAM, *Circuit Judges.*

PER CURIAM:*

J. Guadalupe Solache Galarza, a native and citizen of Mexico, petitions for review of the order by the Board of Immigration Appeals (BIA) denying his motion to reopen. We lack jurisdiction to consider Solache Galarza's challenge to the discretionary decision not to reopen his

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

No. 22-60489

proceedings sua sponte. *See Mejia v. Whitaker*, 913 F.3d 482, 490 (5th Cir. 2019).

Jurisdiction does exist to review Solache Galarza's arguments to the extent that he asserts that his due process rights were violated as he is no longer removable as charged. *See id.* However, his due process arguments are unavailing and not cognizable because "no liberty interest exists in a motion to reopen." *Id.*

Solache Galarza's petition is DISMISSED in part for lack of jurisdiction and DENIED in part. Additionally, the Government's motion to dismiss is DENIED as moot.