

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

March 23, 2021

Lyle W. Cayce
Clerk

No. 19-60392
Summary Calendar

JUAN JOSE CHAVEZ-TORRES, *also known as* JUAN JOSE CHAVEZ,

Petitioner,

versus

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

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A075 223 956

Before HIGGINBOTHAM, JONES, and Costa, *Circuit Judges.*

PER CURIAM:*

Juan Jose Chavez-Torres, a native and citizen of Mexico, petitions for review the denial by the Board of Immigration Appeals (BIA) of his motion to reopen. Relying on *Pereira v. Sessions*, 138 S. Ct. 2105 (2018), Chavez-Torres argues the immigration court had no jurisdiction over his removal

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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proceedings because his notice to appear was defective in that it failed to state the time and place of his initial removal hearing. We have rejected such arguments, concluding that *Pereira* is limited to cases involving the stop-time rule in removal proceedings, which is not at issue here. *See Pierre-Paul v. Barr*, 930 F.3d 684, 689-90 (5th Cir. 2019), *cert. denied*, 140 S. Ct. 2718 (2020). Because Chavez-Torres's claim is foreclosed by *Pierre-Paul*, he fails to show that the BIA abused its discretion in denying his motion to reopen based on *Pereira*. *See Mejia v. Barr*, 952 F.3d 255, 259 (5th Cir. 2020).

The petition for review is DENIED.