

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

May 11, 2022

Lyle W. Cayce
Clerk

No. 20-60844
Summary Calendar

RAMON HERNANDEZ ROMAN,

Petitioner,

versus

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

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A205 471 365

Before BARKSDALE, COSTA, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Ramon Hernandez Roman, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' (BIA) dismissing his appeal from the denial of his application for cancellation of removal. Roman contends the BIA failed to address key items of medical evidence, in

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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contravention of its precedent, in concluding he failed to demonstrate his removal would cause exceptional and extremely unusual hardship to his qualifying relatives. This challenge, however, is unexhausted. Therefore, our court lacks jurisdiction to address it. *See Wang v. Ashcroft*, 260 F.3d 448, 452–53 (5th Cir. 2001) (noting “alien fails to exhaust his administrative remedies with respect to an issue when the issue is not raised in the first instance before the BIA—either on direct appeal or in a motion to reopen”).

Additionally, because Roman does not address the BIA’s conclusion that he failed to demonstrate an undue hardship to his qualifying relatives, he has abandoned any such challenge. *See Chambers v. Mukasey*, 520 F.3d 445, 448 n.1 (5th Cir. 2008) (holding challenge waived for failure to brief).

DISMISSED IN PART; DENIED IN PART.