

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

May 3, 2022

Lyle W. Cayce
Clerk

No. 20-60888
Summary Calendar

TIBURCIO ROMAN YANEZ,

Petitioner,

versus

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

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A201 069 221

Before DAVIS, JONES, and ELROD, *Circuit Judges.*

PER CURIAM:*

Tiburcio Roman-Yanez, a native and citizen of Mexico, petitions us for review of the Board of Immigration Appeal's dismissal of his cancellation of removal claim.

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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We have jurisdiction to review this argument. *Trejo v. Garland*, 3 F.4th 760, 766-74 (5th Cir. 2021). We review questions of law de novo. *Lopez-Gomez v. Ashcroft*, 263 F.3d 442, 444 (5th Cir. 2001).

Roman-Yanez does not show that the BIA erred in applying its precedent or the appropriate legal standard. He argues that his case is comparable to *Matter of Recinas*, 23 I. & N. Dec. 467, 472 (BIA 2002), where the BIA found cancellation proper, but the facts in *Recinas* are distinguishable from the facts in this case. Accordingly, as the BIA's determination is based on the facts presented and is consistent with its own caselaw, there is no basis to compel a finding that the BIA erred in finding that the hardship to Roman-Yanez's family did not warrant cancellation of removal. *See Trejo*, 3 F.4th at 775-76.

DENIED.