

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 29, 2022

Lyle W. Cayce
Clerk

No. 21-60076
Summary Calendar

PEDRO CONTRERAS-ROJAS,

Petitioner,

versus

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

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A200 238 842

Before SOUTHWICK, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:*

Pedro Contreras-Rojas, a native and citizen of Mexico, petitions for review of a decision by the Board of Immigration Appeals (BIA) dismissing his appeal from the denial of his application for cancellation of removal. Contreras-Rojas contends that his due process rights were violated when the

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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immigration judge (IJ) curtailed testimony regarding crimes committed against his family in Mexico before determining that he failed to demonstrate that his removal would cause exceptional and extremely unusual hardship to his wife. However, this assertion is without merit because the record reflects that his attorney was able to fully present this testimony and the IJ acknowledged the criminal activity that his family in Mexico had suffered before determining that he failed to demonstrate an undue hardship to his qualifying relative. *See Okpala v. Whitaker*, 908 F.3d 965, 971 (5th Cir. 2018).

He also argues that the IJ lacked jurisdiction to order him removed because the notice to appear was defective, but this claim is unexhausted and therefore we lack jurisdiction to address it. *See Wang v. Ashcroft*, 260 F.3d 448, 452-53 (5th Cir. 2001). Finally, because he does not address the determination that he failed to demonstrate an undue hardship to his qualifying relatives, he has abandoned any challenge to that determination. *See Chambers v. Mukasey*, 520 F.3d 445, 448 n.1 (5th Cir. 2008).

Accordingly, the petition for review is DENIED in part and DISMISSED in part.