

United States Court of Appeals for the Fifth Circuit

No. 25-60009
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 11, 2025

Lyle W. Cayce
Clerk

JORGE LUIS RUIZ-LOPEZ,

Petitioner,

versus

PAMELA BONDI, *U.S. Attorney General,*

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
Agency No. A201 525 646

Before GRAVES, WILLETT, and WILSON, *Circuit Judges.*

PER CURIAM:*

Jorge Luis Ruiz-Lopez, a native and citizen of Guatemala, petitions for review of the decision of the Board of Immigration Appeals (BIA) upholding the denial of asylum, withholding of removal, and protection under the Convention Against Torture (CAT). The Government moves for summary disposition, but summary disposition is not appropriate given Ruiz-Lopez's

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

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opposition. *See Khan v. Garland*, No. 21-60372, 2021 WL 5227077, at *1 (5th Cir. Nov. 9, 2021) (unpublished) (“Summary disposition is appropriate in very limited circumstances, generally when the motion for such goes unopposed.”). However, because the briefing before us “adequately address[es] the parties’ positions, we elect to deny [Ruiz-Lopez’s] petition without further briefing.” *Id.* (internal quotation marks and citation omitted).

We review the BIA’s decision and consider the immigration judge’s decision only to the extent it influenced the BIA. *Vazquez-Guerra v. Garland*, 7 F.4th 265, 268 (5th Cir. 2021). Regarding Ruiz-Lopez’s claims for asylum and withholding of removal, substantial evidence supports the BIA’s conclusion that Ruiz-Lopez failed to meet his burden on the issue of nexus. His testimony indicated that gang members harmed him and his mother because he refused their recruitment efforts.

A reasonable factfinder could conclude, as the agency did here, that the gang members’ central motivation was recruitment. The record does not compel the conclusion that the BIA erred on the issue of nexus. *See Vazquez-Guerra*, 7 F.4th at 270 (“Threats or attacks motivated by criminal intentions do not provide a basis for protection.”). Ruiz-Lopez’s failure to establish the requisite nexus is dispositive for his claims for asylum and withholding of removal. *See Gonzales-Veliz v. Barr*, 938 F.3d 219, 224 (5th Cir. 2019).

To obtain protection under the CAT, Ruiz-Lopez was required to show both that (1) he more likely than not would suffer torture in Guatemala and (2) sufficient state action would be involved in that torture. *See Martinez Manzanares v. Barr*, 925 F.3d 222, 228 (5th Cir. 2019). He does not adequately brief any argument challenging the BIA’s conclusion that he failed to show the requisite likelihood of torture in Guatemala. He has thus waived any such argument and has failed to show that the record compels a

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conclusion contrary to the BIA's determination. *See Medina Carreon v. Garland*, 71 F.4th 247, 255 (5th Cir. 2023) (recognizing that petitioners waive arguments that they do not adequately brief).

For the foregoing reasons, we DENY the Government's opposed motion for summary disposition, DISPENSE with further briefing, and DENY Ruiz-Lopez's petition for review.