

United States Court of Appeals for the Fifth Circuit

No. 26-60098
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 27, 2026

Thomas B. Plunkett, III
Clerk

JOSE ANGEL REYES RODRIGUEZ,

Petitioner,

versus

TODD WALLACE BLANCHE, *U.S. Attorney General,*

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
Agency No. A078 136 857

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

PER CURIAM:*

Jose Angel Reyes Rodriguez, a native and citizen of Mexico, petitions for review of the decision of the Board of Immigration Appeals (BIA) upholding the denial of his application for cancellation of removal by the Immigration Judge (IJ). He asserts that his removal would cause exceptional and extremely unusual hardship for his wife and children, especially his son

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

No. 26-60098

who suffers from attention deficit hyperactivity disorder and requires special services.

Pursuant to 8 U.S.C. § 1252(a)(2)(B)(i), we lack jurisdiction to review the factual findings underlying the agency's conclusion on the issue of hardship. *See Wilkinson v. Garland*, 601 U.S. 209, 225 (2024). However, whether an established set of facts meets the legal standard of exceptional and extremely unusual hardship is a mixed question of fact and law that is a reviewable legal question pursuant to § 1252(a)(2)(D). *Id.* at 216–17, 225.

Reyes Rodriguez's arguments challenge the correctness of the agency's factual findings underlying its conclusion on hardship. However, those factual findings are unreviewable. *See id.*; *Sustaita-Cordova v. Garland*, 120 F.4th 511, 518 (5th Cir. 2024). To the extent Reyes Rodriguez contends that the established facts satisfy the hardship standard, the argument is unpersuasive. *See Cuenca-Arroyo v. Garland*, 123 F.4th 781, 784–85 (5th Cir. 2024); *Sustaita-Cordova*, 120 F.4th at 518–19. Finally, the record belies Reyes Rodriguez's contention that the agency failed to consider the hardship evidence in aggregate. *See L.N. v. Garland*, 109 F.4th 389, 396 (5th Cir. 2024).

The petition for review is DENIED.