

United States Court of Appeals for the Fifth Circuit

No. 26-60135
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 13, 2026

Thomas B. Plunkett, III
Clerk

LILIA ESTRADA CRISTOBAL,

Petitioner,

versus

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

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
Agency No. A045 582 661

Before JONES, HO, and WILSON, *Circuit Judges.*

PER CURIAM:*

Lilia Estrada Cristobal, a native and citizen of Mexico, petitions for review of a decision of the Board of Immigration Appeals (BIA) summarily affirming an immigration judge's denial of cancellation of removal as a matter of discretion. She argues that the agency abused its discretion in denying her application. She also asserts that her right to due process was violated

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

No. 26-60135

because she never received a complete transcript of her merits hearing and the IJ was biased against her.

As an initial matter, we do not address Estrada Cristobal's argument that her appeal should have been decided by a three-judge panel because she did not include it in her statement of the issues. *See United States v. Quintanilla*, 114 F.4th 453, 463–64 (5th Cir. 2024).

Under 8 U.S.C. § 1252(a)(2)(B)(i), this court lacks jurisdiction to review “any judgment regarding the granting of” certain types of discretionary relief, including cancellation of removal under 8 U.S.C. § 1229b. *Wilkinson v. Garland*, 601 U.S. 209, 218 (2024). However, § 1252(a)(2)(D) exempts “constitutional claims” and “questions of law” from the jurisdictional bar of § 1252(a)(2)(B)(i). *See id.* at 218, 225.

“Applying for cancellation of removal is a two-step process. First, the applicant must show that [s]he satisfies the applicable statutory eligibility requirements.” *Linares-Rivas v. Bondi*, 139 F.4th 454, 457 (5th Cir. 2025) (internal edits, quotation marks, and citation omitted). In the second step, “the applicant must demonstrate that [s]he ‘merits a favorable exercise of discretion’ to be awarded relief.” *Linares-Rivas*, 139 F.4th at 457 (quoting *Wilkinson*, 601 U.S. at 213). This “discretionary decision is unreviewable and dispositive of [an] application for cancellation of removal.” *Linares-Rivas*, 139 F.4th at 457; *see also Wilkinson*, 601 U.S. at 225 n.4. Accordingly, Estrada Cristobal's petition for review must be dismissed for lack of jurisdiction to the extent that she challenges the agency's denial of cancellation of removal as a matter of discretion.

Although Estrada Cristobal's due process claims are reviewable under § 1252(a)(2)(D), “the failure to receive relief that is purely discretionary in nature does not amount to a deprivation of a liberty interest,” *Assaad v. Ashcroft*, 378 F.3d 471, 475 (5th Cir. 2004) (internal quotation marks and

No. 26-60135

citation omitted). Thus, Estrada Cristobal's petition will be denied as to her due process claims.

The petition for review is DISMISSED in part for lack of jurisdiction and DENIED in part.