

United States Court of Appeals
For the Eighth Circuit

No. 18-2693

Byron Eduardo Perez-Garcia

Petitioner

v.

William P. Barr, Attorney General of the United States

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals

Submitted: April 30, 2019

Filed: May 31, 2019

[Unpublished]

Before COLLOTON, WOLLMAN, and KELLY, Circuit Judges.

PER CURIAM.

Guatemalan citizen Byron Eduardo Perez-Garcia petitions for review of an order of the Board of Immigration Appeals dismissing his appeal from an Immigration Judge's decision denying him asylum, withholding of removal, and relief under the Convention Against Torture; and finding him ineligible for cancellation of removal. The only issues Perez-Garcia raises in this court were not administratively

exhausted, and thus this court lacks jurisdiction to consider them. See Molino v. Whitaker, 910 F.3d 1056, 1061 (8th Cir. 2018) (failure to raise issue before agency amounts to failure to exhaust administrative remedies, and deprives this court of jurisdiction to hear matter); Baltti v. Sessions, 878 F.3d 240, 244-45 (8th Cir. 2017) (per curiam) (under 8 U.S.C. § 1252(d)(1), appellate court has jurisdiction to review final order of removal only if petitioner has exhausted all available administrative remedies; this court has interpreted this provision as reflecting Congress's intent not only to require alien to pursue all levels of administrative review, but also to raise all issues before agency). The petition for review is dismissed.
