

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

April 7, 2017

Lyle W. Cayce
Clerk

No. 15-60401
Summary Calendar

MIGUEL ANGEL SAENZ-LOPEZ, also known as Miguel Saenz,

Petitioner

v.

JEFFERSON B. SESSIONS, III, U.S. ATTORNEY GENERAL,

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A099 252 068

Before HIGGINBOTHAM, PRADO, and HAYNES, Circuit Judges.

PER CURIAM:*

Miguel Angel Saenz-Lopez, a native and citizen of Mexico, petitions this court for review of an order of the Board of Immigration Appeals (BIA) dismissing his appeal from the immigration judge's (IJ) denial of his application for deferral of removal under the Convention Against Torture (CAT). Saenz-Lopez asserts that the BIA erred in affirming the order of removal because the IJ's adverse credibility determination was based on an

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 15-60401

erroneous application of the law. Saenz-Lopez further asserts that the BIA was incorrect in its determination that, aside from objecting to the adverse credibility determination, he had not challenged the IJ's denial of his deferral of removal claim.

Saenz-Lopez was previously convicted of an aggravated felony. We do not have jurisdiction to review his claims regarding the denial of deferral of removal under the CAT because these claims, however labeled, do not actually present either a constitutional issue or a question of law. *See Milat v. Holder*, 755 F.3d 354, 359 (5th Cir. 2014); *Siwe v. Holder*, 742 F.3d 603, 613 (5th Cir. 2014); *Rodriguez v. Holder*, 705 F.3d 207, 210 (5th Cir. 2013); 8 U.S.C. § 1252(a)(2)(C) & (D). Accordingly, his petition for review is DISMISSED for lack of jurisdiction.