

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 15, 2022

Lyle W. Cayce
Clerk

No. 20-61181

HORTENCIA VELAZQUEZ ADAME; EVERARDO PEREZ
VELAZQUEZ; LUIS ALDEIR PEREZ VELAZQUEZ; ARILENY PEREZ
VELAZQUEZ,

Petitioners,

versus

MERRICK GARLAND, *U.S. Attorney General,*

Respondent.

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

BIA No. A208 925 454

BIA No. A208 925 455

BIA No. A208 925 456

BIA No. A208 925 457

Before JONES, STEWART, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

Hortencia Velazquez Adame, a native and citizen of Mexico, petitions for review of an order by the Board of Immigration Appeals (BIA) dismissing her appeal from the denial of her application for asylum, withholding of removal, and protection under the Convention Against Torture (CAT).¹

We review the BIA's decision and consider the immigration judge's decision only to the extent it influenced the BIA. *Singh v. Sessions*, 880 F.3d 220, 224 (5th Cir. 2018). Factual findings are reviewed for substantial evidence and legal determinations are reviewed de novo. *Lopez-Gomez v. Ashcroft*, 263 F.3d 442, 444 (5th Cir. 2001).

Because Velazquez Adame failed to exhaust her claims concerning the validity of her notice to appear and her membership in a particular social group (PSG) consisting of those who have cooperated with law enforcement officials we lack jurisdiction to consider them. *See Flores-Abarca v. Barr*, 937 F.3d 473, 477-78 (5th Cir. 2019); *Roy v. Ashcroft*, 389 F.3d 132, 137 (5th Cir. 2004). She identifies no error in the BIA's determination that she was ineligible for asylum or withholding of relief because she failed to show membership in a cognizable PSG. *See Orellana-Monson v. Holder*, 685 F.3d 511, 518 (5th Cir. 2012). Finally, because her argument concerning her CAT claim is speculative, she has not shown that substantial evidence compels a conclusion contrary to that of the BIA on this issue. *See Morales v. Sessions*, 860 F.3d 812, 818 (5th Cir. 2017); *Chen v. Gonzales*, 470 F.3d 1131, 1134 (5th Cir. 2006). The petition for review is DENIED in part and DISMISSED in part.

¹ Hortencia Velazquez Adame is the lead applicant, and the other three derivative applicants are her children.