

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-13487
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JAN 23, 2009 THOMAS K. KAHN CLERK

Agency No. A17-994-127

JOSE KAIRUZ TEXIDO,

Petitioner,

versus

U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of a Decision of the
Board of Immigration Appeals

(January 23, 2009)

Before BIRCH, BLACK and HULL, Circuit Judges.

PER CURIAM:

Jose Kairuz Texido, a citizen of Cuba and lawful permanent resident of the United States, appeals the Board of Immigration Appeals' decision affirming the Immigration Judge's (IJ) determination that Texido abandoned his application for a waiver of inadmissibility. Texido sought re-entry to the United States in February 2005, and his request was denied because the Department of Homeland Security determined his convictions rendered him inadmissible under § 212(a) of the Immigration and Nationality Act (INA). Texido told the IJ he intended to apply for a waiver of inadmissibility under INA § 212(c). The IJ gave Texido nearly nine months to file a complete application package, and when Texido failed to comply with this deadline, the IJ deemed his application abandoned.

"[W]hen a party lists an issue for appellate review but does not discuss that question in their argument, they have abandoned it." *Bayro v. Reno*, 142 F.3d 1377, 1379 (11th Cir. 1998). Although Texido's Statement of Issues identifies the question of whether he abandoned his application as an issue for us to review, he does not present any argument or cite any authority on this issue. Accordingly, we find he has abandoned any challenge to the IJ's determination he abandoned his application. As this issue is dispositive of Texido's appeal, we deny his petition for review.

PETITION DENIED.