

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

United States Court of Appeals  
Fifth Circuit

**FILED**

April 6, 2015

Lyle W. Cayce  
Clerk

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No. 14-60126  
Summary Calendar

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BASILIO JIMENEZ-FURCAL, also known as Basilio Evaristo Jimenez Furcal,

Petitioner

v.

ERIC H. HOLDER, JR., U. S. ATTORNEY GENERAL,

Respondent

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A029 855 740

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Before REAVLEY, DENNIS, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

Basilio Jimenez-Furcal, a native and citizen of the Dominican Republic, petitions for review of an order of the Board of Immigration Appeals (BIA), which dismissed his pro se appeal from the final order of removal issued by an immigration judge. In dismissing the appeal, the BIA found that Jimenez-Furcal, through counsel, had waived his right to appeal; he had raised no

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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specific argument challenging the validity of the waiver; and his appeal was thus not proper.

In this court, Jimenez-Furcal argues in a conclusory fashion (1) that the immigration judge and the BIA erred in failing to grant his motion to terminate his removal proceedings, which would have permitted him to resolve his citizenship claim in a federal district court, and (2) that his counsel rendered ineffective assistance by failing to pursue the motion to terminate as instructed. In support of these claims, Jimenez-Furcal has submitted two affidavits, which were not first presented to the BIA and thus may not be considered by this court. *See Hernandez-Ortiz v. Holder*, 741 F.3d 644, 647 (5th Cir. 2014).

Jimenez-Furcal has not addressed the BIA's reasons for dismissing his appeal. He has thus abandoned any challenge to that decision. *See Soadjede v. Ashcroft*, 324 F.3d 830, 833 (5th Cir. 2003). Accordingly, his petition for review is DENIED.