

United States Court of Appeals  
for the Fifth Circuit

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No. 22-60388  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 1, 2023

Lyle W. Cayce  
Clerk

GUILLERMO DE JESUS HERRERA CALLE; BRAHYAN HERRERA  
RUIZ; DIONE JULIETH RUIZ ARIAS,

*Petitioners,*

*versus*

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

*Respondent.*

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Petition for Review of an Order of the  
Board of Immigration Appeals  
Agency No. A206 389 051  
Agency No. A206 389 052  
Agency No. A206 389 053

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Before STEWART, DENNIS, and WILLETT, *Circuit Judges.*

PER CURIAM:\*

Guillermo De Jesus Herrera Calle petitions this court for review of an order of the Board of Immigration Appeals denying a motion to reconsider a decision overturning an Immigration Judge's grant of asylum and

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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withholding of removal and remanding for consideration of eligibility for relief under the Convention Against Torture.<sup>1</sup>

We must always be aware of our jurisdiction. *Zhao v. Gonzales*, 404 F.3d 295, 302 & n.3 (5th Cir. 2005). Under our statutory authority, we may review a “final order of removal” in immigration proceedings. 8 U.S.C. § 1252(a)(1); see *Moreira v. Mukasey*, 509 F.3d 709, 713 (5th Cir. 2007). Our jurisdiction to review final orders of removal “encompasses review of decisions refusing to reopen or reconsider such orders.” *Mata v. Lynch*, 576 U.S. 143, 147 (2015) (internal citations omitted). Because Herrera Calle’s petition for review challenges neither a final order of removal nor a “decision[] refusing to reopen or reconsider” a final order of removal, *Mata*, 576 U.S. at 147, we lack jurisdiction over it. See § 1252(a)(1). The petition for review is DISMISSED.

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<sup>1</sup> The other petitioners were derivatives on Herrera Calle’s application for relief.