

United States Court of Appeals
For the Eighth Circuit

No. 19-2396

Olakunle Olamide Olaitan

Petitioner

v.

William P. Barr, Attorney General of the United States

Respondent

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

Submitted: March 2, 2020

Filed: March 25, 2020

[Unpublished]

Before BENTON, SHEPHERD, and KELLY, Circuit Judges.

PER CURIAM.

Nigerian citizen Olakunle Olamide Olaitan petitions for review of an order of the Board of Immigration Appeals (BIA), which denied his motion to remand his case

to the immigration judge (IJ).¹ Having jurisdiction under 8 U.S.C. § 1252, this court denies the petition.

This court concludes the BIA did not abuse its discretion in denying remand. *See Caballero-Martinez v. Barr*, 920 F.3d 543, 549 (8th Cir. 2019) (standard of review). To the extent Olaitan asks this court to consider how his removal may result in hardship to his wife, this court declines to consider issues or evidence raised for the first time on appeal. *See Agha v. Holder*, 743 F.3d 609, 616 (8th Cir. 2014) (aliens may appeal only issues exhausted at administrative level); *Lukowski v. INS*, 279 F.3d 644, 646 (8th Cir. 2002) (“judicial review is limited to the administrative record”).

The petition is denied, and the motion to supplement the record is denied as moot. *See* 8th Cir. R. 47B.

¹The portion of the BIA’s order dismissing Olaitan’s appeal from the IJ and the IJ’s decision are not before this panel. *See Chay-Velasquez v. Ashcroft*, 367 F.3d 751, 756 (8th Cir. 2004) (claim not raised in opening brief is waived).