

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-11702

Non-Argument Calendar

NELSON OSWALDO LINARES,

Petitioner,

versus

U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of a Decision of the
Board of Immigration Appeals
Agency No. A216-462-840

Before JORDAN, NEWSOM, and ABUDU, Circuit Judges.

PER CURIAM:

Respondent's motion to dismiss this petition for review for lack of jurisdiction is GRANTED. Petitioner seeks review of the Board of Immigration Appeals' March 21, 2023 order affirming the Immigration Judge's final order of removal. However, the petition for review was not filed with us until May 19, 2023 at the earliest, which is the date the petition was postmarked. *See* Fed. R. App. P. 25(a)(2)(A)(iii). Accordingly, the petition for review is untimely and cannot invoke our jurisdiction. *See* INA § 242(b)(1), 8 U.S.C. § 1252(b)(1) (providing that a petition for review must be filed no later than 30 days after the date of the final order of removal); *Stone v. INS*, 514 U.S. 386, 405 (1995) (stating that the statutory time limit is mandatory and jurisdictional and not subject to equitable tolling).

Accordingly, this petition is DISMISSED. All other pending motions are DENIED as MOOT.