

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-10741

Non-Argument Calendar

GILTON BAIN,

Petitioner,

versus

U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of a Decision of the
Board of Immigration Appeals
Agency No. A210-032-951

Before GRANT, LUCK, and BRASHER, Circuit Judges.

PER CURIAM:

Gilton Bain seeks review of the Board of Immigration Appeals’ discretionary denial of cancellation of removal. The government moves to dismiss, arguing that the jurisdictional-stripping provisions of the Immigration and Nationality Act (“INA”) bar review of this discretionary decision.

“With an exception for legal and constitutional questions, Congress has barred judicial review of the Attorney General’s decisions denying discretionary relief from removal,” which includes cancellation of removal under INA § 240A, 8 U.S.C. § 1229b. *Patel v. Garland*, 596 U.S. 328, 331, 347 (2022) (holding that “[f]ederal courts lack jurisdiction to review facts found as part of discretionary-relief proceedings under . . . the . . . provisions enumerated in § 1252(a)(2)(B)(i),” one of which is cancellation of removal); *see Wilkinson v. Garland*, 601 U.S. 209, 225 n.4 (2024) (“[I]f the IJ decides a noncitizen is *eligible* for cancellation of removal at step one, his step-two discretionary determination on whether or not to *grant* cancellation of removal in the particular case is not reviewable as a question of law.”); INA § 242(a)(2)(B)(i), 8 U.S.C. § 1252(a)(2)(B)(i). Bain, who did not respond to the government’s motion to dismiss, has not identified a colorable constitutional claim or question of law, and we find none in the record.

25-10741

Opinion of the Court

3

Accordingly, the government's motion to dismiss the appeal for lack of jurisdiction is GRANTED. All other pending motions are DENIED as moot.