

United States Court of Appeals  
Fifth Circuit

**FILED**

**January 28, 2004**

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-61053  
Summary Calendar

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LUIS GERARDO ABREGO-DELGADO,

Petitioner,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A20-694-915  
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Before HIGGINBOTHAM, DAVIS, and PRADO, Circuit Judges.

PER CURIAM:\*

Luis Gerardo Abrego-Delgado has filed a petition for review of the Board of Immigration Appeals' ("BIA") order denying his motion to reopen his removal proceedings. Because Abrego departed the United States after the issuance of the deportation order, and because he has failed to show that his deportation order was a gross miscarriage of justice, we lack jurisdiction and the petition must be denied. See 8 U.S.C. § 1105a(c) (1994); 8 C.F.R. § 3.2(d)

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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(2003); Navarro-Miranda v. Ashcroft, 330 F.3d 672, 676 (5th Cir. 2003); Lara v. Trominski, 216 F.3d 487, 492 (5th Cir. 2000).

DENIED.