

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 20 2025

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ANGEL OMAR OLIVARES-ACEVEDO,

No. 24-1021

Petitioner,

Agency No.

A201-157-010

v.

MEMORANDUM*

PAMELA BONDI, Attorney General,

Respondent.

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

Submitted May 16, 2025**
Pasadena, California

Before: MURGUIA, Chief Judge, and BENNETT and JOHNSTONE, Circuit
Judges.

Petitioner Angel Omar Olivares-Acevedo, a native and citizen of Mexico, petitions for review of a Board of Immigration Appeals (“BIA”) decision dismissing his appeal from an Immigration Judge’s (“IJ”) removal order. We have jurisdiction

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

under 8 U.S.C. § 1252. We review questions of law, including questions concerning the agency’s jurisdiction, de novo. *Hernandez v. Holder*, 738 F.3d 1099, 1101 (9th Cir. 2013). We deny the petition.

The government served Olivares-Acevedo with an initial notice to appear that omitted the date and time of his hearing. Olivares-Acevedo’s initial notice was later supplemented with various hearing notices that included the missing information. Olivares-Acevedo contends that based on his incomplete notice to appear, the agency lacked jurisdiction and statutory authority to act.

Olivares-Acevedo’s argument is foreclosed by our precedent. In *United States v. Bastide-Hernandez*, 39 F.4th 1187, 1193 (9th Cir. 2022) (en banc), *cert denied*, 143 S. Ct. 755 (2023), we held that an undated notice to appear that is later supplemented by a notice of hearing does not deprive the agency of authority to act. We also held that the omission of the date and time of the hearing on the initial notice to appear does not divest the IJ of subject-matter jurisdiction. *Id.* The BIA correctly came to this same conclusion. Therefore, Olivares-Acevedo’s sole argument fails.

PETITION DENIED.¹

¹ The stay of removal (Dkt. # 15) remains in place until the mandate issues.