

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 23 2026

FOR THE NINTH CIRCUIT

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

ADELAIDO MARTIN CASTILLO
CARRION,

Petitioner,

v.

TODD BLANCHE, Acting Attorney
General,

Respondent.

No. 22-675

Agency No.
A216-266-106

MEMORANDUM*

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

Submitted April 21, 2026**
Pasadena, California

Before: FRIEDLAND and MILLER, Circuit Judges, and VITALIANO, District
Judge.***

Petitioner Adelaido Martin Castillo Carrion, a native and citizen of Mexico,

* 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).

*** The Honorable Eric N. Vitaliano, United States District Judge for the
Eastern District of New York, sitting by designation.

seeks review of a decision by the Board of Immigration Appeals (“BIA”) affirming the denial by an immigration judge (“IJ”) of his application for cancellation of removal. We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition for review.

Where, as here, “the BIA expresse[s] agreement with the reasoning of the IJ, [we] review[] both the IJ and the BIA’s decisions.” *Hernandez v. Garland*, 38 F.4th 785, 788 (9th Cir. 2022) (quoting *Kumar v. Holder*, 728 F.3d 993, 998 (9th Cir. 2013)). We review questions of law de novo, *id.*, and in the context of cancellation of removal claims, we review the agency’s “exceptional and extremely unusual hardship” determination for substantial evidence, *Gonzalez-Juarez v. Bondi*, 137 F.4th 996, 1003 (9th Cir. 2025).

In his petition for review, Castillo Carrion argues only that the BIA committed legal error in assessing whether Castillo Carrion’s older U.S.-citizen son was too old to be a “qualifying relative” for purposes of the hardship determination. But we need not reach that argument because the BIA affirmed the IJ’s ruling on an alternative, independently sufficient ground: that Castillo Carrion had not made the requisite showing of “exceptional and extremely unusual hardship” as to either of his two U.S.-citizen children, including the son who was then 22 years old. Castillo Carrion forfeited any challenge—based on a lack of substantial evidence or otherwise—to that alternative holding by failing to raise the

issue in his opening brief. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (explaining that issues that are not raised or not supported by argument in the opening brief are forfeited). Accordingly, we deny the petition for review.

Petition **DENIED**.¹

¹ The temporary administrative stay is lifted, and the motion to stay removal, Dkt. No. 2, is denied.