

**18-1432 NASRALLAH V. BARR**

DECISION BELOW: 2019 WL 626456

LOWER COURT CASE NUMBER: 17-13105

QUESTION PRESENTED:

Because of the United States' inviolable obligation not to deport individuals to countries in which they are likely to be subject to torture, individuals who are statutorily ineligible for asylum may request withholding (or deferral) of removal. Such relief is, as courts repeatedly note, a fundamental bulwark to ensure that the government's decision to deport an individual does not result in torture or death.

The courts of appeals have deeply and intractably divided as to whether 8 U.S.C. § 1252(a)(2)(C) divests them of jurisdiction to review factual findings underlying the administrative agency's decision to deny a request for withholding (or deferral) of removal relief. The United States has expressly acknowledged the conflict among the circuits, and it has previously acquiesced to certiorari on this question. This case, unlike those before it, cleanly presents the question for review.

The question presented is:

Whether, notwithstanding Section 1252(a)(2)(C), the courts of appeals possess jurisdiction to review factual findings underlying denials of withholding (and deferral) of removal relief.

CERT. GRANTED 10/18/2019