

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-1105**

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MILLISSA MANDANI BASSANT,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A78-343-004)

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Submitted: July 31, 2003

Decided: September 12, 2003

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Before NIEMEYER, TRAXLER, and SHEDD, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Edwin K. Fogam, Silver Spring, Maryland, for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, David V. Bernal, Senior Litigation Counsel, Nelda C. Reyna, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Millissa Nandani Bassant, a native and citizen of Trinidad and Tobago, petitions this court for review of a final order of the Board of Immigration Appeals affirming without opinion the immigration judge's denial of asylum and withholding of removal. The decision to grant or deny asylum relief is conclusive "unless manifestly contrary to the law and an abuse of discretion." 8 U.S.C. § 1252(b)(4)(D) (2000). We conclude that the record supports the immigration judge's decision that Bassant failed to establish her eligibility for asylum. See 8 C.F.R. § 208.13(b) (2003); Gonahasa v. INS, 181 F.3d 538, 541 (4th Cir. 1999). As the decision in this case is not manifestly contrary to law, we cannot grant the relief Bassant seeks.

The standard for gaining withholding of removal is "more stringent than that for asylum eligibility." Chen v. INS, 195 F.3d 198, 205 (4th Cir. 1999). An applicant for withholding must demonstrate a clear probability of persecution. INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987). As Bassant failed to establish she is eligible for asylum, she cannot meet the higher standard for withholding.

Accordingly, we deny Bassant's petition for review. We dispense with oral argument because the facts and legal contentions

are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED