

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1686

YUN-GUAN ZENG,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A73-545-043)

Submitted: April 19, 2004

Decided: May 4, 2004

Before LUTTIG, MOTZ, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Yueh-Mei Wu Rowan, ROWAN & ASSOCIATES, P.C., Fairfax, Virginia, for Petitioner. Peter D. Keisler, Assistant Attorney General, David V. Bernal, Assistant Director, Regina Byrd, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Yun-Guan Zeng, a native and citizen of China, petitions for review of the Board of Immigration Appeals' ("Board") order affirming without opinion the immigration judge's oral decision denying Zeng's applications for asylum, withholding of removal, and withholding under the Convention Against Torture. We have reviewed the administrative record and the immigration judge's decision, designated by the Board as the final agency determination, and find that substantial evidence supports the immigration judge's conclusion that Zeng failed to establish the past persecution or well-founded fear of future persecution necessary to establish eligibility for asylum. See 8 C.F.R. § 1208.13(a) (2003) (stating that the burden of proof is on the alien to establish eligibility for asylum); INS v. Elias-Zacarias, 502 U.S. 478, 483 (1992) (same). We will reverse the Board only if the evidence "'was so compelling that no reasonable fact finder could fail to find the requisite fear of persecution.'" Rusu v. INS, 296 F.3d 316, 325 n.14 (4th Cir. 2002) (quoting Elias-Zacarias, 502 U.S. at 483-84). We do not find the record so compelling so as to reverse the Board.

In addition, we find no error in the Board's decision to affirm without opinion the immigration judge's oral decision. See Blanco de Belbruno v. Ashcroft, ___ F.3d ___, 2004 WL 603501 (4th Cir. Mar. 29, 2004).

We deny Zeng'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