

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-2436

SINTESIA LANI SUTANTO,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A96-281-638)

Submitted: April 27, 2005

Decided: May 19, 2005

Before WILLIAMS and TRAXLER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Yueh-Mei-Wu Rowan, ROWAN & ASSOCIATES, P.C., Fairfax, Virginia; Arnedo S. Valera, LAW OFFICES OF ARNEDO S. VALERA, Fairfax, Virginia, for Petitioner. Peter D. Keisler, Assistant Attorney General, James Hunolt, Senior Litigation Counsel, Teresa A. Wallbaum, 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Unpublished opinions are not binding precedent in this circuit.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:

Sintesia Lani Sutanto, a native and citizen of Indonesia, petitions for review of an order of the Board of Immigration Appeals (Board) affirming, without opinion, the Immigration Judge's (IJ) denial of her application for asylum, withholding of removal and protection under the Convention Against Torture (CAT).^{*} Sutanto challenges the IJ's finding that she failed to meet her burden of proof to qualify for asylum.

To obtain reversal of a determination denying eligibility for relief, an alien "must show that the evidence he presented was so compelling that no reasonable factfinder could fail to find the requisite fear of persecution." INS v. Elias-Zacarias, 502 U.S. 478, 483-84 (1992). We have reviewed the evidence of record and conclude that Sutanto fails to show that the evidence compels a contrary result. Additionally, to the extent that Sutanto claims that the Board's use of the summary affirmance procedure as set forth in 8 C.F.R. § 1003.1(e)(4) (2004) was improper or impermissible, we find that this claim is squarely foreclosed by

^{*}We note that Sutanto fails to challenge the IJ's denial of her application for withholding of removal and protection under the CAT. In any event, we lack jurisdiction over any challenge to the denial of withholding of removal and protection under the CAT because Sutanto failed to properly exhaust these claims in her appeal to the Board. See 8 U.S.C. § 1252(d)(1) (2000); Asika v. Ashcroft, 362 F.3d 264, 267 n.3 (4th Cir. 2004), cert. denied, 125 S. Ct. 861 (2005).

our decision in Blanco de Belbruno v. Ashcroft, 362 F.3d 272 (4th Cir. 2004).

Accordingly, we deny the 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