

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-1561**

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YONG FENG CHEN,

Petitioner,

versus

ALBERTO R. GONZALES,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A77-997-555)

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Submitted: December 30, 2005

Decided: January 24, 2006

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Before NIEMEYER, TRAXLER, and DUNCAN, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Alexander Kwok-Ho Yu, New York, New York, for Petitioner. Charles T. Miller, Acting United States Attorney, Fred B. Westfall, Jr., Assistant United States Attorney, Charleston, West Virginia, for Respondent.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Yong Feng Chen, a native and citizen of the People's Republic of China, petitions for review of an order of the Board of Immigration Appeals ("Board") affirming the immigration judge's order denying his applications for asylum, withholding of removal, and protection under the Convention Against Torture. We deny the petition for review.

Chen challenges the Board's denial of his request for relief for withholding of removal and protection under the CAT. The Attorney General contends Chen waived this argument because he did not raise it on appeal to the Board. Failure to raise this issue before the Board constitutes a waiver of the issue and precludes review by this court. See Gonahasa v. INS, 181 F.3d 538, 544 (4th Cir. 1999). A review of Chen's brief to the Board supports this argument, and we therefore do not review the underlying merits of these claims.

As for the denial of Chen's request for asylum, 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 INS v. Elias-Zacarias, 502 U.S. 478, 483-84 (1992)). A trier of fact who rejects an applicant's testimony on credibility grounds must offer specific, cogent reasons for doing so. See Figeroa v. INS, 886 F.2d 76, 78 (4th Cir. 1989). This court

accords broad, though not unlimited, deference to credibility findings supported by substantial evidence. Camara v. Ashcroft, 378 F.3d 361, 367 (4th Cir. 2004). We have reviewed the record, the immigration judge's decision, and the Board's order, and we conclude substantial evidence supports the immigration judge's credibility finding. Accordingly, Chen's challenge to the denial of his application for asylum fails.

We therefore deny Chen'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