

Filed: June 27, 2007

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1676

D. P.,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General of the
United States,

Respondent.

O R D E R

The court amends its opinion filed April 11, 2006, as follows:

On page 1, the initials "D. P." are substituted for petitioner's name in the caption and petitioner's alien number is deleted from the agency line.

On page 2, the initials "D. P." are substituted for petitioner's name in paragraph 1, line 1; paragraph 2, line 6; and paragraph 3, line 1.

For the Court - By Direction

/s/ Patricia S. Connor

Clerk

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1676

D. P.,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General of the
United States,

Respondent.

On Petition for Review of an Order of the Board of Immigration
Appeals.

Submitted: March 29, 2006

Decided: April 11, 2006

Before GREGORY and DUNCAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition denied by unpublished per curiam opinion.

Diane McHugh-Martinez LAW OFFICE OF MCHUGH-MARTINEZ, Washington,
D.C., for Petitioner. Peter D. Keisler, Assistant Attorney
General, Carol Federighi, Senior Litigation Counsel, Robert E.
Connolly, 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Unpublished opinions are not binding precedent in this circuit.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:

D. P., a native and citizen of Indonesia, petitions for review of an order of the Board of Immigration Appeals ("Board") adopting and affirming the immigration judge's order denying her requests for asylum and withholding of removal, and protection under the Convention Against Torture.

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 D. P. fails to show that the evidence compels a contrary result. Accordingly, we uphold the denial of her requests for asylum and withholding of removal.

Additionally, D. P. challenges the immigration judge's denial of her request for relief under the Convention Against Torture, challenging the standards applied below to this determination. Because she failed to raise this claim before the Board, however, we lack jurisdiction to consider it. See Asika v. Ashcroft, 362 F.3d 264, 267 n.3 (4th Cir. 2004), cert. denied, 125 S. Ct. 861 (2005).

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