

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1327

TSEHAY ABEBE ADERA,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney General,

Respondent.

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

Submitted: May 1, 2008

Decided: May 30, 2008

Before WILKINSON and GREGORY, Circuit Judges, and WILKINS, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

David Allen Garfield, LAW OFFICES OF DAVID GARFIELD, Washington, D.C., for Petitioner. Jeffrey S. Bucholtz, Acting Assistant Attorney General, Daniel E. Goldman, Senior Litigation Counsel, Shabana Stationwala, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tsehay Abebe Adera, a native and citizen of Ethiopia, petitions for review of an order of the Board of Immigration Appeals affirming the Immigration Judge's denial of her applications for relief from removal.

Adera first challenges the determination that she failed to establish eligibility 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 Adera fails to show that the evidence compels a contrary result. Having failed to qualify for asylum, Adera cannot meet the more stringent standard for withholding of removal. Chen v. INS, 195 F.3d 198, 205 (4th Cir. 1999); INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987). Finally, we uphold the finding below that Adera failed to demonstrate that it is more likely than not that she would be tortured if removed to Ethiopia. 8 C.F.R. § 1208.16(c)(2) (2007).

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