

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1735

YI HUI CHEN,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

No. 12-1736

FUNG-WAI CHENG, a/k/a Fen Hua Zheng,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

On Petitions for Review of Orders of the Board of Immigration
Appeals.

Submitted: January 22, 2013

Decided: February 14, 2013

Before MOTZ, SHEDD, and DIAZ, Circuit Judges.

Petitions denied by unpublished per curiam opinion.

Eric Zheng, New York, New York, for Petitioners. Stuart F. Delery, Acting Assistant Attorney General, Ada E. Bosque, Senior Litigation Counsel, Lindsay Corliss, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Yi Hui Chen and Fung-Wai Cheng, both natives and citizens of China, petition for review of orders of the Board of Immigration Appeals (Board) denying their motion to remand and dismissing their appeals from the Immigration Judge's denial of their applications for relief from removal.

Petitioners first challenge the determination that they 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 Petitioners' claims and conclude that they fail to show that the evidence compels a contrary result. Having failed to qualify for asylum, Petitioners 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). Further, we uphold the finding below that Petitioners failed to qualify for protection under the Convention Against Torture. 8 C.F.R. § 1208.16(c) (2012). Finally, we conclude based on our review that the Board did not abuse its discretion in denying Petitioners' motion to remand. See Hussain v. Gonzales, 477 F.3d 153, 155 (4th Cir. 2007).

Accordingly, we deny the petitions for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITIONS DENIED