

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

CHARLES ADEYEMI WILLIAMS,

Petitioner.

v.

No. 99-1519

U.S. IMMIGRATION & NATURALIZATION
SERVICE,

Respondent.

On Petition for Review of an Order
of the Board of Immigration Appeals.
(A72-029-905)

Submitted: October 26, 1999

Decided: November 18, 1999

Before LUTTIG, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Randall L. Johnson, JOHNSON & ASSOCIATES, Arlington, Virginia, for Petitioner. David W. Ogden, Acting Assistant Attorney General, Kristen A. Giuffreda, Senior Litigation Counsel, Greg D. Mack, 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Unpublished opinions are not binding precedent in this circuit.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).

OPINION

PER CURIAM:

Charles Williams seeks a review of the decision of the Board of Immigration Appeals (Board) denying relief on his application for asylum and withholding of deportation. The Board's determination that Williams is not eligible for asylum must be upheld if the determination is "supported by reasonable, substantial, and probative evidence on the record considered as a whole." 8 U.S.C. § 1105a(a)(4) (1994). The decision may be reversed only if the evidence presented by Williams was such that a reasonable fact finder would have to conclude that the requisite fear of persecution existed. See INS v. Elias-Zacarias, 502 U.S. 478, 481 (1992). The Board concluded that Williams failed to meet his burden of proving that he was persecuted or has a well-founded fear of future persecution on account of protected grounds. Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Because Williams failed to show entitlement to asylum, he cannot meet the higher standard for withholding deportation. See INS v. Cardoza-Fonseca, 480 U.S. 421, 430-32 (1987).

Accordingly, we affirm on the reasoning of the Board. 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.

AFFIRMED