

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-1028**

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KOSSI JAMES KETevi,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration  
Appeals.  
(A78-610-853)

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Submitted: September 26, 2003

Decided: February 20, 2004

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Before WIDENER, NIEMEYER, and GREGORY, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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James A. Roberts, LAW OFFICES OF JAMES A. ROBERTS, Falls Church, Virginia, for Petitioner. Peter D. Keisler, Assistant Attorney General, Civil Division, Linda S. Wendtland, Assistant Director, Luis E. Perez, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kossi James Ketevi, a native and citizen of Togo, petitions for review of an order of the Board of Immigration Appeals (Board) affirming a decision of the immigration judge (IJ) that denies his application for asylum, withholding of removal, and relief under the Convention Against Torture. The Board adopted the opinion of the IJ that concluded Ketevi failed to present credible evidence establishing past persecution or a well-founded fear of future persecution on account of a protected ground. See 8 U.S.C.A. § 1158 (West 1999 & Supp. 2003); 8 U.S.C. § 1101(a)(42)(A) (2000). We have reviewed the administrative record, the IJ's decision, and the Board's conclusion, and find that substantial evidence supports the IJ's ruling that Ketevi failed to establish his refugee status. We have reviewed the IJ's credibility determinations and conclude that they are supported by specific, cogent reasoning, and therefore are entitled to substantial deference. Figeroa v. INS, 886 F.2d 76, 78 (4th Cir. 1989).

We conclude as well that Ketevi is not entitled to withholding of removal under INA § 241 or the Convention Against Torture. Based on our review of the record and of the IJ's decision denying relief, we hold that the IJ did not err in finding that Ketevi failed to show a "clear probability of persecution," or that it is "more likely than not" that he would face torture if he returned to Togo. See Rusu v. INS, 296 F.3d 316, 324 n.13 (4th

Cir. 2002) ("To qualify for withholding of removal, a petitioner must show that he faces a clear probability of persecution because of his race, religion, nationality, membership in a particular social group, or political opinion."); 8 C.F.R. § 1208.16(c)(2) (2003) (stating that to qualify for protection under the Convention Against Torture, an alien must show "it is more likely than not that he or she would be tortured if removed to the proposed country of removal").

We reject Ketevi's arguments that the Board did not properly apply the regulations governing affirmance without opinion, 8 C.F.R. § 1003.1(e)(4) (2003). 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