

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 06-2173

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QING TUAN ZHENG,

Petitioner,

versus

PETER D. KEISLER, Acting Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A78-227-112)

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Submitted: August 31, 2007

Decided: September 27, 2007

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Before WILKINSON, MICHAEL, and GREGORY, Circuit Judges.

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Petition denied by unpublished per curiam opinion.

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Fengling Liu, LAW OFFICE OF FENGLING LIU, New York, New York, for Petitioner. Peter D. Keisler, Assistant Attorney General, Leslie McKay, Senior Litigation Counsel, Debora Gerads, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Qing Tuan Zheng, a native and citizen of The People's Republic of China, petitions for review of an order of the Board of Immigration Appeals (Board) affirming without opinion the immigration judge's denial of his requests for asylum and withholding of removal. We have reviewed the administrative record and the immigration judge's decision and find that substantial evidence supports the ruling that Zheng failed to establish past persecution or a well-founded fear of future persecution. See 8 C.F.R. § 1208.13(a) (2006) (stating that the burden of proof is on the alien to establish eligibility for asylum); INS v. Elias-Zacarias, 502 U.S. 478, 483 (1992) (same). Moreover, as Zheng cannot sustain his burden on the asylum claim, he cannot establish his entitlement to withholding of removal. See Camara v. Ashcroft, 378 F.3d 361, 367 (4th Cir. 2004) ("Because the burden of proof for withholding of removal is higher than for asylum--even though the facts that must be proved are the same--an applicant who is ineligible for asylum is necessarily ineligible for withholding of removal under [8 U.S.C.] § 1231(b)(3)."). We also find that Zheng's due process rights were not violated by the immigration judge's decision to disallow Zheng's wife's testimony.

Accordingly, we deny the petition for review for the reasons stated by the immigration judge. 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