

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-1614**

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MAHAMAN LAWAN OUMAROU MALAM, a/k/a Mahaman Malam Lawan  
Oumarou; SOUWEBA MAMAN BALLA, a/k/a Souweba Mamn Balla Mme  
Moussa Alou,

Petitioners,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

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Submitted: January 20, 2012

Decided: February 3, 2012

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Before SHEDD, DAVIS, and WYNN, Circuit Judges.

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Dismissed in part and denied in part by unpublished per curiam  
opinion.

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Anser Ahmad, ADVANCED IMMIGRATION LAW GROUP, Harrisburg,  
Pennsylvania, for Petitioners. Tony West, Assistant Attorney  
General, Stephen J. Flynn, Assistant Director, Robert Michael  
Stalzer, 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Unpublished opinions are not binding precedent in this circuit.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:

Mahaman Lawan Oumarou Malam and Souweba Maman Balla, both natives and citizens of Niger, petition for review of an order of the Board of Immigration Appeals (Board) dismissing their appeal from the Immigration Judge's denial of their applications for relief from removal.

Petitioners first dispute the Board's finding that their asylum applications were not timely filed and that no exceptions applied to excuse the untimeliness. We have reviewed Petitioners' claims in this regard and find that we do not have jurisdiction to review this determination. See 8 U.S.C. § 1158(a)(3) (2006); Lizama v. Holder, 629 F.3d 440, 445 (4th Cir. 2011).

Petitioners next challenge the Board's alternative finding 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 Petitioners 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). Finally, we have considered Petitioners' contention that the Immigration Judge improperly questioned them at the hearing and find it to be lacking in merit.

Accordingly, we dismiss in part and deny in part 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.

DISMISSED IN PART  
AND DENIED IN PART