

United States Court of Appeals  
For the Eighth Circuit

---

No. 16-2033

---

Jose Isaias Zepeda, also known as Jose Isias Zepeda

*Petitioner*

v.

Jefferson B. Sessions, III,<sup>1</sup> Attorney General of the United States

*Respondent*

---

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

---

Submitted: March 7, 2017

Filed: March 14, 2017

[Unpublished]

---

Before COLLOTON, ARNOLD, and KELLY, Circuit Judges.

---

PER CURIAM.

---

<sup>1</sup>Jefferson B. Sessions, III has been appointed to serve as Attorney General of the United States, and is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

Jose Zepeda, a citizen of El Salvador, petitions for review of an order of the Board of Immigration Appeals (BIA) upholding an immigration judge's (IJ's) order denying asylum and withholding of removal. This court reviews the BIA's decision as the final agency action, and to the extent the BIA adopted the IJ's findings or reasoning, as it did here, this court also reviews the IJ's decision. See Diaz-Perez v. Holder, 750 F.3d 961, 963-64 (8th Cir. 2014) (IJ's finding of facts are reviewed under deferential substantial evidence standard, and findings must be treated as conclusive unless any reasonable adjudicator would be compelled to reach contrary conclusion). To establish eligibility for asylum, Mr. Zepeda had to show that he is unwilling or unable to return to El Salvador because of persecution, or a well-founded fear of future persecution, on account of his membership in the particular social group he identified. See Flores v. Holder, 699 F.3d 998, 1002-03 (8th Cir. 2012). We find that no reasonable adjudicator would be compelled to conclude that Mr. Zepeda met his burden of proving his entitlement to asylum; and thus that his claim for withholding of removal necessarily failed as well, see Sow v. Mukasey, 546 F.3d 953, 956 (8th Cir. 2008) (alien who fails to meet standard for asylum cannot meet more rigorous standard for establishing eligibility for withholding of removal). The petition for review is denied.

---