

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1274

SONG HUI SHI,

Petitioner,

versus

UNITED STATES DEPARTMENT OF JUSTICE; MICHAEL
B. MUKASEY, Attorney General,

Respondents.

On Petition for Review of an Order of the Board of Immigration
Appeals. (A95-687-408)

Submitted: October 15, 2007

Decided: November 21, 2007

Before MOTZ, KING, and SHEDD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Yee Ling Poon, Robert Duk-Hwan Kim, LAW OFFICES OF YEE LING POON,
New York, New York, for Petitioner. Peter D. Keisler, Assistant
Attorney General, Terri J. Scadron, Assistant Director, Shahrzad
Baghai, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for
Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Song Hui Shi, a native and citizen of China, petitions for review of an order of the Board of Immigration Appeals affirming the Immigration Judge's denial of his applications for asylum, withholding of removal, and protection under the Convention Against Torture (CAT).

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 conclude that Shi fails to show that the evidence compels a contrary result. Having failed to qualify for asylum, Shi cannot meet the higher standard to qualify 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). Further, we uphold the Immigration Judge's finding that Shi failed to establish eligibility for CAT protection. See 8 C.F.R. § 1208.16(c)(2) (2007).

Accordingly, 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