

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1889

SELETH GLANGH TANGUY SELEBANGUE,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: March 10, 2009

Decided: April 13, 2009

Before WILKINSON, TRAXLER, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Seleth Glangh Tanguy Selebangué, Petitioner Pro Se. Javier Balasquide, DEPARTMENT OF HOMELAND SECURITY, Arlington, Virginia, for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Seleth Glangh Tanguy Selebangué, a native and citizen of the Central African Republic, petitions for review of an order of the Board of Immigration Appeals dismissing his appeal from the Immigration Judge's denial of his applications for relief from removal.

Selebangué first challenges the determination that he 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 conclude that Selebangué fails to show that the evidence compels a contrary result. Having failed to qualify for asylum, Selebangué 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). We further uphold the finding that Selebangué failed to demonstrate that it is more likely than not that he would be tortured if removed to the Central African Republic. 8 C.F.R. § 1208.16(c)(2) (2008). Finally, we uphold the determination below that Selebangué filed a frivolous asylum application. See

8 U.S.C. § 1158(d)(6) (2006); 8 C.F.R. § 1208.20 (2008); Matter of Y-L-, 24 I. & N. Dec. 151 (B.I.A. 2007).

We therefore 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