

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-2276

CHENG BO LIN,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: June 18, 2013

Decided: July 18, 2013

Before NIEMEYER, AGEE, and DIAZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Oleh R. Tustaniwsky, Brooklyn, New York, for Petitioner.
Stuart F. Delery, Acting Assistant Attorney General, Song Park,
Senior Litigation Counsel, Surell Brady, Office of Immigration
Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington,
D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cheng Bo Lin, a native and citizen of the People's Republic of China, petitions for review of an order of the Board of Immigration Appeals (Board) dismissing his appeal from the Immigration Judge's order denying his applications for withholding of removal and protection under the Convention Against Torture (CAT).

Lin first disputes the conclusion that he failed to qualify for the relief of withholding of removal. "Withholding of removal is available under 8 U.S.C. § 1231(b)(3) if the alien shows that it is more likely than not that her life or freedom would be threatened in the country of removal because of her race, religion, nationality, membership in a particular social group, or political opinion." Gomis v. Holder, 571 F.3d 353, 359 (4th Cir. 2009) (citations omitted); see 8 U.S.C. § 1231(b)(3) (2006). We have reviewed the administrative record and conclude that substantial evidence supports the agency's adverse credibility determination as well as its finding that Lin failed to demonstrate a clear probability of future persecution. Because the evidence does not compel us to conclude to the contrary, we uphold the denial of relief. See Djadjou v. Holder, 662 F.3d 265, 273 (4th Cir. 2011), cert. denied, 133 S. Ct. 788 (2012). Finally, we uphold the finding below that Lin failed to demonstrate that it is more likely than

not that he would be tortured if removed to China. 8 C.F.R. § 1208.16(c)(2) (2013).

We accordingly deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED