

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2418

NAGENDRA PAUDEL CHHETRI,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

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

Submitted: August 17, 2017

Decided: August 31, 2017

Before KEENAN, DIAZ, and FLOYD, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Arnedo S. Valera, LAW OFFICES OF VALERA & ASSOCIATES, Fairfax, Virginia, for Petitioner. Chad A. Readler, Acting Assistant Attorney General, Jessica E. Burns, Senior Litigation Counsel, Edward C. Durant, 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Unpublished opinions are not binding precedent in this circuit.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:

Nagendra Paudel Chhetri, a native and citizen of Nepal, petitions for review of an order of the Board of Immigration Appeals (Board) dismissing his appeal from the immigration judge's decision denying his requests for asylum, withholding of removal, and protection under the Convention Against Torture. After thoroughly reviewing the record, we deny the petition for review.

We conclude that substantial evidence supports the finding below that Nepal's 2013 elections brought a fundamental change in circumstances rebutting the presumption of a well-founded fear of persecution, and that, in any event, Chhetri can safely relocate in Nepal. *See* 8 C.F.R. § 1208.13(b)(1)(i)(A), (B) (2017); *INS v. Elias-Zacarias*, 502 U.S. 478, 481 (1992) (stating that we review the Board's decision for substantial evidence). We also conclude that substantial evidence supports the finding that it is not more likely than not that Chhetri will be tortured "by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity." 8 C.F.R. § 1208.18(a)(1) (2017).

Accordingly, we deny the petition for review for the reasons stated by the Board. *In re Chhetri* (B.I.A. Nov. 17, 2016). 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