

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-2448

OSCAR ANOTNIO MARTINEZ-GARCIA; FRANCISCO
MARTINEZ-GARCIA,

Petitioners,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

No. 17-1675

OSCAR ANOTNIO MARTINEZ-GARCIA; FRANCISCO
MARTINEZ-GARCIA,

Petitioners,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

On Petition for Review of Orders of the Board of Immigration Appeals.

Submitted: December 22, 2017

Decided: January 11, 2018

Before WILKINSON, KING, and DUNCAN, Circuit Judges.

Denied in part; dismissed in part by unpublished per curiam opinion.

Evelyn R.G. Smallwood, HATCH ROCKERS IMMIGRATION, Durham, North Carolina, for Petitioners. Chad A. Readler, Acting Assistant Attorney General, Keith I. McManus, Assistant Director, Juria L. Jones, 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Unpublished opinions are not binding precedent in this circuit.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:

Oscar A. Martinez-Garcia and Francisco Martinez-Garcia, brothers and natives and citizens of El Salvador, petition for review of orders of the Board of Immigration Appeals (Board) dismissing their appeal of the Immigration Judge's decision denying their requests for asylum and withholding of removal,* and denying their motion to reconsider.

With respect to the Board's order dismissing the appeal, we have thoroughly reviewed the record, including the transcript of the merits hearing and all supporting evidence. We conclude that the record evidence does not compel a ruling contrary to any of the agency's factual findings, *see* 8 U.S.C. § 1252(b)(4)(B) (2012), and that substantial evidence supports the Board's decision, *INS v. Elias-Zacarias*, 502 U.S. 478, 481 (1992). Accordingly, we deny the petition for review in part for the reasons stated by the Board. *See In re Martinez-Garcia* (B.I.A. Dec. 12, 2016). As no arguments have been raised on appeal with respect to the denial of the motion to reconsider, we dismiss the petition for review in part as to that order. *See In re Martinez-Garcia* (B.I.A. May 8, 2017); *Suarez-Valenzuela v. Holder*, 714 F.3d 241, 248-49 (4th Cir. 2013) (absent a miscarriage of justice, arguments not raised in opening brief are waived).

Accordingly, we deny in part, and dismiss in part, the petition for review. We dispense with oral argument because the facts and legal contentions are adequately

* On appeal, petitioners do not challenge the agency's denial of protection under the Convention Against Torture.

presented in the materials before this court and argument would not aid the decisional process.

*DENIED IN PART;
DISMISSED IN PART*