

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-2176

JULIO CESAR ARCE GUILLEN,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

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

Submitted: March 8, 2018

Decided: March 14, 2018

Before WILKINSON, KING, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Adina Appelbaum, CAPITAL AREA IMMIGRANTS' RIGHTS (CAIR) COALITION, Washington, D.C.; Gabriel K. Gillett, Chicago, Illinois, Matthew E. Price, JENNER & BLOCK LLP, Washington, D.C., for Petitioner. Chad A. Readler, Acting Assistant Attorney General, Shelley R. Goad, Assistant Director, Russell J.E. Verby, Senior Litigation Counsel, 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Unpublished opinions are not binding precedent in this circuit.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:

Julio Cesar Arce Guillen, a native and citizen of El Salvador, petitions for review of an order of the Board of Immigration Appeals (Board) dismissing his appeal from the immigration judge's decision denying his application for withholding of removal.¹ We have thoroughly reviewed the record, including the transcript of Guillen's merits hearing before the immigration court and all supporting evidence. We conclude that the record evidence does not compel a ruling contrary to the administrative factual findings, *see* 8 U.S.C. § 1252(b)(4)(B) (2012), and that substantial evidence supports the Board's decision that Guillen failed to show a nexus between past persecution or fear of future persecution and a protected ground. Guillen also fails to show that he was denied due process. *See Anim v. Mukasey*, 535 F.3d 243, 256 (4th Cir. 2008) (stating elements of a due process claim in a removal case). Accordingly, while we grant leave to proceed in forma pauperis, we deny the petition for review.² 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

¹ Guillen does not challenge the finding that his asylum application was untimely or that he did not meet his burden of proof for protection under the Convention Against Torture. Accordingly, these issues are not reviewable. *Suarez-Valenzuela v. Holder*, 714 F.3d 241, 248-49 (4th Cir. 2013) (deeming issues not raised in opening brief waived).

² Because the Board did not reach Guillen's claim that the IJ erred in finding that he was not a member of a particular social group, we need not address Guillen's arguments on this issue.