

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

October 9, 2007

No. 06-60725  
Summary Calendar

Charles R. Fulbruge III  
Clerk

ERNESTO ARGENIS MELENDEZ-LOZANO

Petitioner

v.

PETER D KEISLER, ACTING U S ATTORNEY GENERAL

Respondent

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A98 116 935

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Before REAVLEY, SMITH, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Ernesto Argenis Melendez-Lozano, a native and citizen of Honduras, petitions this court for review of an order of the denial of his application for asylum, withholding of removal, and relief under the Convention Against Torture. The Board of Immigration Appeals (BIA) reversed the Immigration Judge's order granting asylum relief.

Melendez-Lozano contends that the BIA erred by determining that he had not established past persecution or a well-founded fear of persecution if he is

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

returned to Honduras. However, because the record does not compel a finding that Melendez-Lozano was entitled to any of the relief he sought, Melendez-Lozano has failed to show that the decision was not supported by substantial evidence. See *Carbajal-Gonzalez v. INS*, 78 F.3d 194, 197 (5th Cir. 1996); *Eduard v. Ashcroft*, 379 F.3d 182, 188 (5th Cir. 2004); *Tesfamichael v. Gonzales*, 469 F.3d 109, 116 (5th Cir. 2006).

Melendez-Lozano's petition for review therefore is DENIED.