

United States Court of Appeals  
For the Eighth Circuit

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No. 11-2918

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Katung Petrus Tan; Lili Esther Tan; Daniel Pieter Tan; Sarah Tan

*Petitioners*

v.

William P. Barr, Attorney General of the United States

*Respondent*

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No. 12-1742

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Katung Petrus Tan; Lili Esther Tan; Daniel Pieter Tan; Sarah Tan

*Petitioners*

v.

William P. Barr, Attorney General of the United States

*Respondent*

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

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Submitted: April 2, 2020  
Filed: April 3, 2020  
[Unpublished]

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Before ERICKSON, GRASZ, and KOBES, Circuit Judges.

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PER CURIAM.

In these consolidated matters, Indonesian citizens Katung, Lili, Daniel and Sarah Tan (collectively, the Tans) petition for review of (1) an order of the Board of Immigration Appeals (BIA) dismissing their appeal from the decision of an immigration judge (IJ), which denied Katung withholding-of-removal relief; and (2) an order of the BIA denying their motion to reopen proceedings.<sup>1</sup>

Upon careful review, we conclude substantial evidence supports the agency's determination that Katung was not entitled to withholding of removal. *See Garcia-Milian v. Lynch*, 825 F.3d 943, 945 (8th Cir. 2016) (standard of review); *Mouawad v. Gonzales*, 485 F.3d 405, 411-12 (8th Cir. 2007) (withholding-of-removal requirements); *see also Gumaneh v. Mukasey*, 535 F.3d 785, 789-90 & n.2 (8th Cir. 2008) (recognizing limited derivative claims provided for in asylum statute are not available to withholding-of-removal applicants). We find no abuse of discretion in the BIA's denial of the Tans's motion to reopen. *See Vargas v. Holder*, 567 F.3d 387, 391 (8th Cir. 2009) (standard of review); *see also Ortiz-Puentes v. Holder*, 662 F.3d

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<sup>1</sup>The Tans do not challenge the denial of asylum and relief under the Convention Against Torture. *See Chay-Velasquez v. Ashcroft*, 367 F.3d 751, 756 (8th Cir. 2004) (noting a claim not raised in an opening brief is waived).

481, 484-85 (8th Cir. 2011) (requirements for motion to reopen based on ineffective assistance of counsel).

The petitions for review are denied. *See* 8th Cir. R. 47B.

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