United States Court of Appeals

For the Eighth Circuit No. 15-1269 David Martinez-Montiel Petitioner v. Loretta E. Lynch, Attorney General of the United States¹ Respondent Petition for Review of an Order of the **Board of Immigration Appeals** Submitted: September 25, 2015 Filed: October 7, 2015 [Unpublished]

Before SMITH, COLLOTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

¹Loretta E. Lynch has been appointed to serve as Attorney General of the United States, and is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

David Martinez-Montiel, a citizen of Mexico, petitions for review of an order of the Board of Immigration Appeals dismissing his appeal from the decision of an immigration judge to deny withholding of removal.² After careful consideration, we conclude that substantial evidence supports the decision. <u>See Davila-Mejia v. Mukasey</u>, 531 F.3d 624, 627 (8th Cir. 2008). The petition is denied. <u>See</u> 8th Cir. R. 47B.

²The untimeliness of the related asylum application is not an issue before us.