

United States Court of Appeals  
For the Eighth Circuit

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No. 18-3478

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Gerson Antonio Hernandez-Rodriguez

*Petitioner*

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: August 28, 2019

Filed: August 30, 2019

[Unpublished]

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Before BENTON, SHEPHERD, and KELLY, Circuit Judges.

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PER CURIAM.

Guatemalan citizen Gerson Hernandez-Rodriguez petitions for review of an order of the Board of Immigration Appeals, which dismissed his appeal from the decision of an immigration judge denying him asylum, withholding of removal, and protection under the Convention Against Torture (CAT). Having jurisdiction under 8 U.S.C. § 1252(a)(2)(D), this court denies the petition.

This court concludes that substantial evidence supports the agency's determination that Hernandez-Rodriguez was not entitled to asylum. He did not show that he was unable or unwilling to return to Guatemala due to persecution, or a well-founded fear of future persecution, on account of a protected ground. *See Mayorga-Rosa v. Sessions*, 888 F.3d 379, 381 (8th Cir. 2018) (asylum requirements); *Garcia-Milian v. Lynch*, 825 F.3d 943, 945 (8th Cir. 2016) (standard of review). This court further concludes that substantial evidence supports the agency's denial of withholding of removal and CAT relief. *See Guled v. Mukasey*, 515 F.3d 872, 881-82 (8th Cir. 2008) (applicant who does meet standard for asylum cannot meet more rigorous standard for withholding of removal; separate analysis for CAT claim is not required when there is no evidence alien may be tortured for reasons unrelated to claims for asylum and withholding of removal).

The petition is denied. *See* 8th Cir. R. 47B.

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