

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 24 2016

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ENGUANG WANG,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-72873

Agency No. A087-802-247

MEMORANDUM*

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

Submitted August 16, 2016**

Before: O'SCANNLAIN, LEAVY, and CLIFTON, Circuit Judges.

Enguang Wang, a native and citizen of China, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for asylum and withholding of removal.

We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See Fed. R. App. P. 34(a)(2)*. Thus, we deny Wang's request for oral argument.

the agency's factual findings, *Silaya v. Mukasey*, 524 F.3d 1066, 1070 (9th Cir. 2008), and we review de novo questions of law, *Jiang v. Holder*, 611 F.3d 1086, 1091 (9th Cir. 2010). We deny the petition for review.

Substantial evidence supports the agency's conclusion that, even if credible, Wang failed to establish he was persecuted for engaging in "other resistance" to China's family planning policy. *See He v. Holder*, 749 F.3d 792, 796 (9th Cir. 2014) (petitioner's actions "did not display the overt and persistent defiance required for a showing of other resistance") (internal quotations and citation omitted). We reject Wang's contentions that the BIA misinterpreted or misapplied the statute, or that it analyzed his claim improperly. *See Jiang*, 611 F.3d at 1091-94. Further, substantial evidence supports the agency's conclusion that Wang did not establish a well-founded fear of future persecution. *See He*, 749 F.3d at 796; *see also Gu v. Gonzales*, 454 F.3d 1014, 1022 (9th Cir. 2006) (petitioner did not "present compelling, objective evidence demonstrating a well-founded fear of persecution."). Thus, his asylum claim fails.

Because Wang did not demonstrate eligibility for asylum, it necessarily follows that he did not satisfy the more stringent standard for withholding of removal. *See Zehatye v. Gonzales*, 453 F.3d 1182, 1190 (9th Cir. 2006).

PETITION FOR REVIEW DENIED.