

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 07-1180

JUN RU YANG,

Petitioner

v.

ATTORNEY GENERAL
UNITED STATES OF AMERICA,

Respondent

On Petition for Review of an Order of the
Board of Immigration Appeals
(Agency No. A98-120-851)

Submitted under Third Circuit LAR 34.1 (a)
on April 11, 2008

Before: SMITH, HARDIMAN and ROTH, Circuit Judges

(Opinion filed: March 27, 2009)

O P I N I O N

ROTH, Circuit Judge:

Jun Ru Yang, a native and citizen of the People's Republic of China, petitions for review of a final order by the Board of Immigration Appeals dismissing his appeal and affirming the denial of his application for asylum, withholding of removal, and relief under the Convention Against Torture. In order to demonstrate that he was a refugee for purposes of asylum, Yang claimed that he was persecuted pursuant to China's family planning laws when his wife was forced to abort an unauthorized pregnancy. The Immigration Judge found that Yang was not credible and denied the application on that ground. We see no basis for disturbing this finding. In any event, even assuming *arguendo* that Yang is credible, his spouse's alleged abortion does not render him eligible for asylum. *Lin-Zheng v. Attorney Gen.*, No. 07-2135, 2009 U.S. App. LEXIS 3002, at *2 (3d Cir. Feb. 19, 2009). We have considered all of Yang's claims and find them to be without merit. Accordingly, we will deny the petition.