

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1832

OUSSENE LITTY AGBERE,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

Submitted: March 31, 2009

Decided: April 10, 2009

Before MICHAEL, GREGORY, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Kell Enow, ENOW & PATCHA, Silver Spring, Maryland, for
Petitioner. Michael F. Hertz, Acting Assistant Attorney
General, Carol Federighi, Senior Litigation Counsel, Rebecca
Hoffberg, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C.,
for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Oussene Litty Agbere, a native and citizen of Togo, petitions for review of an order of the Board of Immigration Appeals affirming the Immigration Judge's denial of his applications for relief from removal.

Agbere challenges the determination that he failed to establish eligibility for asylum. To obtain reversal of a determination denying eligibility for relief, an alien "must show that the evidence he presented was so compelling that no reasonable factfinder could fail to find the requisite fear of persecution." INS v. Elias-Zacarias, 502 U.S. 478, 483-84 (1992). We have reviewed the evidence of record and conclude that Agbere fails to show that the evidence compels a contrary result. Having failed to qualify for asylum, Agbere cannot meet the more stringent standard for withholding of removal. Chen v. INS, 195 F.3d 198, 205 (4th Cir. 1999); INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987).

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED