

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-1026**

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TAFESE GEMEDA DIDI,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

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

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Submitted: September 16, 2010

Decided: October 4, 2010

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Before WILKINSON and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Israel W. Gobena, GOBENA & ASSOCIATES, Saint Paul, Minnesota, for Petitioner. Tony West, Assistant Attorney General, Mary Jane Candaux, Assistant Director, Roseanne M. Perry, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tafese Gemedi Didi, a native and citizen of Ethiopia, petitions for review of an order of the Board of Immigration Appeals dismissing his appeal from the Immigration Judge's denial of his applications for relief from removal.

Didi first 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 Didi fails to show that the evidence compels a contrary result.

Having failed to qualify for asylum, Didi 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). Next, we uphold the finding below that Didi failed to demonstrate that it is more likely than not that he would be tortured if removed to Ethiopia. 8 C.F.R. § 1208.16(c)(2) (2010). Finally, we find no abuse of discretion in the Board's denial of Didi's motion to remand the case to the Immigration Judge. See Obioha v. Gonzales, 431 F.3d 400, 408 (4th Cir. 2005).

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