

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

October 9, 2007

Charles R. Fulbruge III
Clerk

No. 06-60725
Summary Calendar

ERNESTO ARGENIS MELENDEZ-LOZANO

Petitioner

v.

PETER D KEISLER, ACTING U S ATTORNEY GENERAL

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A98 116 935

Before REAVLEY, SMITH, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Ernesto Argenis Melendez-Lozano, a native and citizen of Honduras, petitions this court for review of an order of the denial of his application for asylum, withholding of removal, and relief under the Convention Against Torture. The Board of Immigration Appeals (BIA) reversed the Immigration Judge's order granting asylum relief.

Melendez-Lozano contends that the BIA erred by determining that he had not established past persecution or a well-founded fear of persecution if he is

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

returned to Honduras. However, because the record does not compel a finding that Melendez-Lozano was entitled to any of the relief he sought, Melendez-Lozano has failed to show that the decision was not supported by substantial evidence. See *Carbajal-Gonzalez v. INS*, 78 F.3d 194, 197 (5th Cir. 1996); *Eduard v. Ashcroft*, 379 F.3d 182, 188 (5th Cir. 2004); *Tesfamichael v. Gonzales*, 469 F.3d 109, 116 (5th Cir. 2006).

Melendez-Lozano's petition for review therefore is DENIED.