

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-3437

Francisca Batz-Vicente,

Petitioner,

v.

Eric Holder, Attorney General of the
United States; Janet Napolitano,
Secretary of the Department of
Homeland Security,

Respondents.

*
*
*
* Petition for Review of
* an Order of the Board
* of Immigration Appeals.
*
*
* [UNPUBLISHED]
*
*
*

Submitted: December 2, 2009

Filed: December 9, 2009

Before WOLLMAN, RILEY, and SMITH, Circuit Judges.

PER CURIAM.

Guatemalan citizen Francisca Batz-Vicente petitions for review of an order of the Board of Immigration Appeals (BIA), which affirmed an immigration judge's denial of asylum and withholding of removal.¹ We conclude substantial evidence supports the BIA's determination that Batz-Vicente did not meet her burden of proof

¹Batz-Vicente does not challenge the denial of relief under the Convention Against Torture.

for asylum because she did not establish either past persecution or a well-founded fear of future persecution on account of a protected ground. See Khrystotodorov v. Mukasey, 551 F.3d 775, 781 (8th Cir. 2008) (standard of review); Makatengkeng v. Gonzales, 495 F.3d 876, 883 (8th Cir. 2007); Ahmed v. Ashcroft, 396 F.3d 1011, 1014-15 (8th Cir. 2005). Because Batz-Vicente failed to meet the lower burden of proof on her asylum claim, her claim for withholding of removal must fail as well. See Gitimu v. Holder, 581 F.3d 769, 774 (8th Cir. 2009).

Accordingly, we deny the petition.
