

APR 23 2008

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**AHMAD ALI,**

Petitioner,

v.

**MICHAEL B. MUKASEY, Attorney  
General,**

Respondent.

No. 04-75916

Agency No. A75-318-158

**MEMORANDUM\***

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

Submitted April 17, 2008\*\*  
San Francisco, California

Before: **KOZINSKI**, Chief Judge, **WALLACE** and **N.R. SMITH**, Circuit  
Judges.

The record supports the IJ's adverse credibility finding, as petitioner's  
testimony contained discrepancies and was inconsistent with his asylum

---

\* This disposition is not appropriate for publication and is not precedent  
except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral  
argument. See Fed. R. App. P. 34(a)(2).

application. Substantial evidence thus supports the IJ's finding that petitioner isn't eligible for asylum. 8 U.S.C. § 1252(b)(4)(B). Petitioner is therefore also necessarily ineligible for withholding of removal. See Farah v. Ashcroft, 348 F.3d 1153, 1156 (9th Cir. 2003). Petitioner's claim for relief under the Convention Against Torture fails because a reasonable adjudicator would not be compelled to find that it's more likely than not that he would be tortured if removed. See 8 C.F.R. § 1208.16(c)(2).

**PETITION DENIED.**