

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JAN 14 2008

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

SUNIL PRAKASH,

Petitioner,

v.

MICHAEL B. MUKASEY,** Attorney
General,

Respondent.

No. 04-73143

Agency No. A78-646-107

MEMORANDUM*

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

Argued and Submitted October 18, 2007
San Francisco, California

Before: TROTT and GRABER, Circuit Judges, and SHADUR**, Senior Judge.

Petitioner Sunil Prakash seeks judicial review of a Board of Immigration Appeals' ("BIA") denial of his application for asylum. "To reverse [a] BIA finding [a reviewing court] must find that the evidence not only *supports* that

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

** The Honorable Milton I. Shadur, Senior United States District Judge for the Northern District of Illinois, sitting by designation.

conclusion, but *compels* it” INS v. Elias-Zacarias, 502 U.S. 478, 481 n.1 (1992). Applying the standard from Elias-Zacarias, we are not compelled to find that the petitioner suffered past persecution or that he reasonably fears future persecution. The immigration judge’s decision and the record demonstrate that the judge reviewed all the evidence and used the correct legal standard. Substantial evidence supports the findings that Prakash failed to demonstrate past persecution or a well-founded fear of future persecution.

PETITION DENIED.