

**AUG 30 2004**

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

DARSHAN KAUR,

Petitioner,

v.

JOHN ASHCROFT, Attorney General,

Respondent.

No. 03-72390

Agency No. A75-253-558

MEMORANDUM\*

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

Argued and Submitted August 9, 2004  
San Francisco, California

Before: PREGERSON, KOZINSKI, and HAWKINS, Circuit Judges.

Under the substantial evidence standard, we cannot say Darshan Kaur's testimony would compel the conclusion that she was persecuted in the past or has a well-founded fear of future persecution should she return to India. *See Wang v. Ashcroft*, 341 F.3d 1015, 1019-20 (9th Cir. 2003); 8 U.S.C. § 1101(a)(42)(A).

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

Accordingly, we deny her petition for review of her asylum and withholding of removal claims. *See Navas v. INS*, 217 F.3d 646, 655 (9th Cir. 2000) (failure to establish asylum eligibility means petitioner cannot meet more stringent withholding requirement).

PETITION FOR REVIEW DENIED.