

FILED

DEC 13 2007

Qin v Mukasey 04-73695

REINHARDT, Circuit Judge, concurring.

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

I would uphold the IJ's credibility determination on the sole basis that Qin's testimony regarding his departure from the ship in Sacramento is implausible. As to the denial of Qin's claim under the Convention Against Torture, I concur only because counsel conceded at oral argument that on the basis of the record in this case, Qin does not qualify for such relief.