

OCT 15 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JI CHAI ZHANG,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent - Appellee.

No. 05-73770

Agency No. A096-072-732

MEMORANDUM*

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

Argued and Submitted October 6, 2009
San Francisco, California

Before: RYMER and TASHIMA, Circuit Judges, and ADELMAN,** District
Judge.

Ji Chai Zhang, a native and citizen of China, seeks review of a final order of
the Board of Immigration Appeals (BIA), denying his claims for asylum,

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

** The Honorable Lynn S. Adelman, United States District Judge for the
Eastern District of Wisconsin, sitting by designation.

withholding of removal and protection under the Convention Against Torture (CAT). We deny the petition.

In his brief to this Court, petitioner does not mention his claims for withholding of removal or for protection under the CAT, thereby abandoning them. As to petitioner's claim for asylum, we conclude that the record contains substantial evidence supporting the determination of the IJ/BIA that Chinese public security officials did not proceed against petitioner because of any political opinion he held or which they imputed to him. The evidence in the record is not "so compelling that no reasonable factfinder could fail to find" that petitioner's participation in the demonstration which led to his arrest was motivated by a political opinion as opposed to dissatisfaction about various policies of his employer, including that of reducing employees' wages. *See INS v. Elias-Zacarias*, 502 U.S. 478, 483-84 (1992). The evidence further indicates that Chinese security officials treated petitioner harshly because he refused to identify the organizers of the demonstration rather than on account of any political opinion.

PETITION DENIED.