

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-3403

Mohammed H. Marah,

Petitioner,

v.

John Ashcroft,

Respondent.

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Petition for Review of an
Order of the Immigration and
Naturalization Service.

[UNPUBLISHED]

Submitted: April 11, 2003

Filed: April 17, 2003

Before BOWMAN, WOLLMAN, and HANSEN, Circuit Judges.

PER CURIAM.

Yemen citizen Mohammed H. Marah petitions for review of an order of the Board of Immigration Appeals, which affirmed an Immigration Judge's (IJ's) denial of Marah's application for asylum and withholding of removal. For reversal, Marah argues that the IJ erred in making an adverse credibility determination, and in concluding that Marah's fear of persecution was not reasonable. After careful review, we deny the petition.

Substantial evidence supports the IJ's credibility determination, as Marah's testimony was not only internally inconsistent but differed from his asylum

application on several points. See Navarajo-Barrios v. INS, 322 F.3d 561 (8th Cir. 2003); Perinpanathan v. INS, 310 F.3d 594, 598 (8th Cir. 2002). Even without regard to the credibility determination, the IJ's denial of asylum is supported by substantial evidence. Among other things, Marah's fear of persecution is based upon an isolated incident that occurred six or seven years before the asylum hearing. Further, he acknowledged that he had not belonged to political organizations in Yemen, and that he had not been mistreated or threatened based upon his political opinion. Cf. Regalado-Garcia v. INS, 305 F.3d 784, 788 (8th Cir. 2002) (fear of future persecution was not well founded or reasonable where more than decade had passed since applicant's political activities and he did not maintain connection with political organizations after leaving Mexico). Finally, his testimony about Saudi Arabia was not relevant because the government sought to deport him only to Yemen.

Accordingly, we deny the petition.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.