

United States Court of Appeals
For the Eighth Circuit

No. 13-1610

Ju Qin Wu

Petitioner

v.

Eric H. Holder, Jr., Attorney General of United States

Respondent

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

Submitted: January 3, 2014

Filed: January 9, 2014

[Unpublished]

Before MURPHY, SMITH, and SHEPHERD, Circuit Judges.

PER CURIAM.

Ju Quin Wu petitions for review of a February 2013 order of the Board of Immigration Appeals (BIA), which upheld an immigration judge's March 2011 adverse decision, which followed a remand from the Second Circuit Court of

Appeals.¹ After careful consideration of the petition, we find no basis for reversal. We conclude that substantial evidence supported the BIA's determination that Wu failed to establish a clear probability of persecution in China, even assuming Wu was credible. See Wijono v. Gonzales, 439 F.3d 868, 872 (8th Cir. 2006) (applicant seeking withholding of removal has burden to show clear probability of persecution; BIA decision denying withholding of removal is reviewed under substantial-evidence standard). We also conclude that Wu's due process rights were not violated when the immigration judge denied his request for a continuance at the final hearing, see Salkeld v. Gonzales, 420 F.3d 804, 809-10 (8th Cir. 2005), and that the BIA did not abuse its discretion in denying Wu's motion to reopen the asylum proceedings, cf. Li Yun Lin v. Mukasey, 526 F.3d 1164, 1165-66 (8th Cir. 2008) (per curiam). Accordingly, the petition for review is denied. See 8th Cir. R. 47B.

¹Ai Fang Xie v. Gonzales, 208 Fed. Appx. 51 (2d Cir. 2006) (unpublished order).