

United States Court of Appeals
For the Eighth Circuit

No. 11-2918

Katung Petrus Tan; Lili Esther Tan; Daniel Pieter Tan; Sarah Tan

Petitioners

v.

William P. Barr, Attorney General of the United States

Respondent

No. 12-1742

Katung Petrus Tan; Lili Esther Tan; Daniel Pieter Tan; Sarah Tan

Petitioners

v.

William P. Barr, Attorney General of the United States

Respondent

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

Submitted: April 2, 2020
Filed: April 3, 2020
[Unpublished]

Before ERICKSON, GRASZ, and KOBES, Circuit Judges.

PER CURIAM.

In these consolidated matters, Indonesian citizens Katung, Lili, Daniel and Sarah Tan (collectively, the Tans) petition for review of (1) an order of the Board of Immigration Appeals (BIA) dismissing their appeal from the decision of an immigration judge (IJ), which denied Katung withholding-of-removal relief; and (2) an order of the BIA denying their motion to reopen proceedings.¹

Upon careful review, we conclude substantial evidence supports the agency's determination that Katung was not entitled to withholding of removal. *See Garcia-Milian v. Lynch*, 825 F.3d 943, 945 (8th Cir. 2016) (standard of review); *Mouawad v. Gonzales*, 485 F.3d 405, 411-12 (8th Cir. 2007) (withholding-of-removal requirements); *see also Gumaneh v. Mukasey*, 535 F.3d 785, 789-90 & n.2 (8th Cir. 2008) (recognizing limited derivative claims provided for in asylum statute are not available to withholding-of-removal applicants). We find no abuse of discretion in the BIA's denial of the Tans's motion to reopen. *See Vargas v. Holder*, 567 F.3d 387, 391 (8th Cir. 2009) (standard of review); *see also Ortiz-Puentes v. Holder*, 662 F.3d

¹The Tans do not challenge the denial of asylum and relief under the Convention Against Torture. *See Chay-Velasquez v. Ashcroft*, 367 F.3d 751, 756 (8th Cir. 2004) (noting a claim not raised in an opening brief is waived).

481, 484-85 (8th Cir. 2011) (requirements for motion to reopen based on ineffective assistance of counsel).

The petitions for review are denied. *See* 8th Cir. R. 47B.
