

United States Court of Appeals
For the Eighth Circuit

No. 22-2767

Victor Hugo Cardona-Gomez

Petitioner

v.

Merrick B. Garland, Attorney General of the United States

Respondent

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

Submitted: February 7, 2023

Filed: February 10, 2023

[Unpublished]

Before COLLOTON, BENTON, and GRASZ, Circuit Judges.

PER CURIAM.

Guatemalan citizen Victor Hugo Cardona-Gomez petitions for review of an order of the Board of Immigration Appeals (BIA). Having jurisdiction under 8 U.S.C. § 1252, this court denies the petition.

The BIA dismissed Cardona-Gomez's appeal from the decision of an immigration judge denying his request for asylum and withholding of removal relief.¹ Substantial evidence supports the BIA's determination that Cardona-Gomez was not eligible for asylum, because he did not establish past persecution or a well-founded fear of future persecution. *See Malonga v. Mukasey*, 546 F.3d 546, 550 (8th Cir. 2008) (standard of review); *Menjivar v. Gonzales*, 416 F.3d 918, 920 (8th Cir. 2005), *as corrected* (Sept. 21, 2005) (asylum eligibility requirements); *see also Cano v. Barr*, 956 F.3d 1034, 1039 (8th Cir. 2020) (persecution involves infliction or credible threat of death, torture, or injury; it is an extreme concept that excludes low-level intimidation and harassment) (citations and quotations omitted); *La v. Holder*, 701 F.3d 566, 572 (8th Cir. 2012) (a well-founded fear of future persecution is both subjectively genuine and objectively reasonable).

Substantial evidence also supports the BIA's denial of withholding of removal relief. *See Guled v. Mukasey*, 515 F.3d 872, 881-82 (8th Cir. 2008) (noncitizen who does not meet standard for asylum cannot meet more rigorous clear probability standard for withholding of removal).

The petition is denied. *See* 8th Cir. R. 47B.

¹The denial of relief under the Convention Against Torture is not before this panel. *See Chay-Velasquez v. Ashcroft*, 367 F.3d 751, 756 (8th Cir. 2004) (claim not raised in opening brief is waived).