

United States Court of Appeals
For the Eighth Circuit

No. 25-3236

Tina Violet Sengooba

Petitioner

v.

Todd Blanche, Attorney General of the United States

Respondent

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

Submitted: August 18, 2026

Filed: August 28, 2026

[Unpublished]

Before KELLY, KOBES, and JUSTIN D. SMITH, Circuit Judges.

PER CURIAM.

Ugandan citizen Tina Sengooba petitions for review of an order of the Board of Immigration Appeals (BIA), which dismissed her appeal from an immigration judge's decision denying asylum, withholding of removal, and protection under the Convention Against Torture (CAT) based on an adverse credibility determination. Sengooba challenges the credibility determination.

We conclude that the immigration judge did not impermissibly speculate or rely on personal opinions by finding that Sengooba appeared to be comfortable when giving her signed statement to the border-patrol agent, as the agent's notes supported that finding. See Etenyi v. Lynch, 799 F.3d 1003, 1007 (8th Cir. 2015) (noting that an immigration judge may make reasonable inferences from direct and circumstantial record evidence); Chen v. Mukasey, 510 F.3d 797, 802 (8th Cir. 2007) (stating this court has refused to disturb credibility-related findings absent a showing of irrationality or improper bias). Likewise, the record does not compel the conclusion that the immigration judge improperly speculated by concluding Sengooba should not have mixed up terminology, and the agency was entitled to reject her alternative explanation for the discrepancy. See Shazi v. Wilkinson, 988 F.3d 441, 451 (8th Cir. 2021) (explaining that an immigration judge is in the best position to make a credibility finding and may base it on demeanor, candor, or responsiveness of applicant; plausibility of applicant's account; consistency within and between applicant's statements; and inaccuracies and falsehoods in such statements); Kegeh v. Sessions, 865 F.3d 990, 996 (8th Cir. 2017) (reiterating the agency need not accept an applicant's plausible explanations if an alternative explanation is reasonable). We disagree with her suggestion that the difference in terminology was non-material, and, regardless, the agency could rely on non-material inconsistencies. See Garcia v. Barr, 954 F.3d 1095, 1098 (8th Cir. 2020); see also Kegeh, 865 F.3d at 996-97 (concluding cumulative effect of multiple inconsistencies, even if they are minor or not directly material, can support finding).¹

In addition, Sengooba failed to challenge other inconsistencies that the BIA addressed, and those inconsistencies further supported the adverse finding. See

¹Sengooba relies on Tian v. Barr, 932 F.3d 664 (8th Cir. 2019), and Shahinaj v. Gonzales, 481 F.3d 1027 (8th Cir. 2007), but her case did not involve translation issues, and the BIA explained the credibility determination by detailing various facts supporting it. See, e.g., Samolu v. Barr, 787 Fed. Appx. 349, 351 n.1 (8th Cir. 2019) (unpublished per curiam) (distinguishing Shahinaj).

Jalloh v. Gonzales, 423 F.3d 894, 898 (8th Cir. 2005) (affirming adverse finding when significant discrepancies existed between petitioner’s airport statement, application, and hearing testimony); Chay-Velasquez v. Ashcroft, 367 F.3d 751, 756 (8th Cir. 2004) (claim not raised or meaningfully argued in opening brief is waived). Moreover, the record does not support her argument that the BIA’s review was overly deferential. See Jima v. Barr, 942 F.3d 468, 473 (8th Cir. 2019) (stating BIA reviews immigration judge’s credibility finding under clearly erroneous standard and may not overturn it simply because BIA would have decided facts differently). Finally, the agency did not need to separately analyze the CAT claim, as it was based on the same discredited testimony. See Kegeh, 865 F.3d at 997 (“When asylum, withholding removal, and CAT claims are based on the same discredited testimony, the adverse credibility finding is fatal to all three claims.” (citation omitted)).²

Accordingly, we deny the petition for review. See 8th Cir. R. 47B.

²We agree with the government that Sengooba failed to exhaust her argument relating to consideration of the airport interviews because she does not challenge the BIA’s determination that she failed to contest the reliability of the border interview and credible-fear notes. See Lopez-Lopez v. Blanche, 180 F.4th 1133, 1134 (8th Cir. 2026) (stating this court may not address unraised issues when agency proceedings were adversarial in nature, and petitioner was represented by counsel); Essel v. Garland, 89 F.4th 686, 691 (8th Cir. 2023) (enforcing exhaustion requirement when petitioner sought review of issues on which BIA “did not rule”). Furthermore, she did not argue in her BIA brief that the immigration judge failed to articulate a “rational nexus” to her persecution narrative. See Martinez Carcamo v. Holder, 713 F.3d 916, 925 & n.6 (8th Cir. 2013) (petitioner must “expressly raise” issue in BIA brief to exhaust it). In addition, she primarily argued in her BIA brief that the lack of evidence was given “undue weight,” not that it was not “reasonably available,” see Bakor v. Barr, 958 F.3d 732, 739 (8th Cir. 2020) (petitioner must present the same specific legal theory to BIA to satisfy exhaustion), and, in any event, the record does not compel the conclusion that it would have been unreasonable to obtain other evidence, cf. Adongafac v. Garland, 53 F.4th 1114, 1121-22 (8th Cir. 2022).