

November 21, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-61045
Summary Calendar

DANIEL KAZIBUTOWSKI,

Petitioner,

versus

ALBERTO R. GONZALES, U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A79 005 310

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Daniel Kazibutowski appeals the Board of Immigration Appeals' (BIA) order denying withholding of removal and relief under the Convention Against Torture (CAT) and ordering him removed to Venezuela. Kazibutowski challenges only the denial of withholding of removal and has abandoned by failing to brief any challenge to the denial of relief under the CAT. See Rodriguez v. INS, 9 F.3d 408, 414 n.15 (5th Cir. 1993).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Kazibutowski argues that the BIA erred in determining that he did not have a well-founded fear of persecution based on his refusal to report for military service. Based upon our review of the record, we conclude that the BIA's determination is supported by substantial evidence and is reasonable. See Ontunez-Tursios v. Ashcroft, 303 F.3d 341, 350 (5th Cir. 2002). Kazibutowski has not shown that the evidence compels a finding that he would face persecution on a protected ground if returned to Venezuela. See Girma v. INS, 283 F.3d 664, 667, 669 (5th Cir. 2002); see also Jukic v. INS, 40 F.3d 747, 749 (5th Cir. 1994); Alonzo v. INS, 915 F.2d 546, 548 (9th Cir. 1990). Accordingly, the petition for review is DENIED.