

**FILED**

**December 18, 2003**

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-61025  
Summary Calendar

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FEDERICO JARVIS,

Petitioner,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A79-344-032  
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Before HIGGINBOTHAM, DAVIS and PRADO, Circuit Judges.

PER CURIAM:\*

Federico Jarvis, a native and citizen of Colombia, petitions for review of a Board of Immigration Appeals (BIA) order denying his application for asylum and withholding of deportation.

Jarvis argues that, because the BIA adopted the Immigration Judge's (IJ) decision without opinion, this court should not give the BIA decision any deference. Jarvis's argument for non-deferential review is foreclosed; this court's review of the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

factual determinations of the BIA is for substantial evidence. See Moin v. Ashcroft, 335 F.3d 415, 418 (5th Cir. 2003).

Jarvis also argues that he was a credible witness. This court may not review the IJ's credibility determination or the decision to deny Jarvis asylum based upon such a determination. Chun v. INS, 40 F.3d 76, 78 (5th Cir. 1994).

Jarvis also argues that he should have been granted asylum because asylum is available to those, whose persecutors have some pecuniary or other non-political agenda so long as he provides some evidence that he has a well-founded fear that he will be persecuted because of his political opinion. Substantial evidence exists to support the IJ's finding that Jarvis was not a refugee and did not suffer persecution on any recognized ground. See Efe v. Ashcroft, 293 F.3d 899, 903 (5th Cir. 2002); United States v. Girma, 283 F.3d 664, 667 (5th Cir. 2002). The petition for review is DENIED.