

January 14, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-60505
Summary Calendar

MEIQI WU,

Petitioner,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A79 400 321

Before SMITH, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

Meiqi Wu petitions this court for review of the Board of Immigration Appeals' order dismissing his appeal from the immigration judge's denial of his application for asylum and withholding of removal under the Convention Against Torture. Wu argues that the immigration judge erred in finding that he was not credible. He contends that the Board of Immigration Appeals should not have deferred to the immigration judge's adverse credibility finding. Wu argues that this court should reverse

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the Board of Immigration Appeals' order because he suffered past persecution on account of his imputed political opinion.

Furthermore, Wu argues that the immigration judge erred in denying him relief pursuant to Article 3 of the Convention Against Torture. Wu declares that it is more likely than not that he will suffer torture at the hands of government authorities upon his removal to China.

The immigration judge's determination that Wu was not credible is "a reasonable interpretation of the record and therefore supported by substantial evidence." See Chun v. INS, 40 F.3d 76, 79 (5th Cir. 1994). "Without credible evidence, the BIA had no basis upon which to grant asylum." Id. Wu has not made the necessary showing to obtain relief under the Convention Against Torture. See Efe v. Ashcroft, 293 F.3d 899, 907 (5th Cir. 2002). Wu's petition for review is DENIED.