

May 4, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-60653  
Summary Calendar

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NIXON JAVIER LASA-GARCIA,

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. A75-237-323  
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Before JONES, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Nixon Javier Lasa-Garcia, a native and citizen of El Salvador, petitions this court for review of the Board of Immigration Appeals' (BIA) affirmance of the Immigration Judge's (IJ) denial of his applications for political asylum and withholding of removal. Lasa-Garcia argues that the evidence was sufficient to support a finding of past persecution and a well-founded fear of future persecution based on his political opinion. Lasa-Garcia asserts that the murder of his father

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

constitutes *de facto* past persecution. He contends that this form of persecution is so severe that asylum should be granted, regardless whether changed conditions have dispelled any well-founded fear of future persecution. Although Lasa-Garcia identifies the standard of review for withholding of removal applications, he fails to address this issue in the body of his brief. Accordingly, the withholding of removal claim is deemed abandoned. See Calderon-Ontiveros v. INS, 809 F.2d 1050, 1052 (5th Cir. 1986) (issues not briefed are waived).

When, as in this case, the BIA adopts without opinion the IJ's decision, this court reviews the IJ's decision. Mikhael v. I.N.S., 115 F.3d 299, 302 (5th Cir. 1997). Here, the IJ's determination that Lasa-Garcia had not shown past persecution or a well-founded fear of future persecution if returned to El Salvador was supported by substantial evidence. See Ontunez-Tursios v. Ashcroft, 303 F.3d 341, 350 (5th Cir. 2002); Gomez-Mejia v. I.N.S., 56 F.3d 700, 702 (5th Cir. 1995). Accordingly, Lasa-Garcia's petition for review is DENIED.