

May 20, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-60568
Summary Calendar

ELISA SARA MENDES,

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 478 339

Before REAVLEY, JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Lisa Sara Mendes, a native and citizen of Angola, has petitioned for review of an order of the Board of Immigration Appeals ("BIA") affirming without opinion the immigration judge's ("IJ") decision denying her applications for asylum and withholding of removal and for relief under the Convention Against Torture (CAT). In rejecting Mendes' applications, the IJ found that Mendes lacked credibility.

Generally, we review the decision of the BIA and will consider the underlying decision of the IJ only if it influenced

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 BIA's determination. Mikhael v. INS, 115 F.3d 299, 302 (5th Cir. 1997). When, as in this case, the BIA adopts the IJ's decision without a written opinion, we review the IJ's decision. Id.

The IJ articulated cogent reasons, supported by substantial evidence in the record, for rejecting Mendes' testimony as incredible. See Chun v. INS, 40 F.3d 76, 79 (5th Cir. 1994). Absent credible testimony by Mendes, substantial evidence supports the IJ's determination that Mendes failed to establish that she was eligible for asylum and withholding of removal. See id. Because Mendes makes only a conclusory statement that she is entitled to relief under the CAT, she has shown no error in the IJ's denial of relief under the CAT. See Efe v. Ashcroft, 293 F.3d 899, 907 (5th Cir. 2002).

Accordingly, her petition for review is DENIED.