

**FILED**

July 12, 2006

Charles R. Fulbruge III  
Clerk

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

---

No. 05-60257  
Summary Calendar

---

LUBALA TUND SOKOMBE,

Petitioner,

versus

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

Respondent.

-----  
Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A76 326 998  
-----

Before BARKSDALE, STEWART and CLEMENT, Circuit Judges.

PER CURIAM:\*

Lubala Tund Sokombe petitions for review of the decision of the Board of Immigration Appeals (BIA) affirming the decision of the immigration judge (IJ) to deny his application for asylum, withholding of removal, and relief under the Convention Against Torture. The IJ and the BIA determined that Sokombe's testimony was not sufficiently credible and that he thus had not established his eligibility for relief. Sokombe has not established that the record compels a finding

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

that he was in fact credible in his claims or that he has met the standard for establishing his eligibility for asylum or withholding. *See Chun v. INS*, 40 F.3d 76, 79 (5th Cir. 1994); *Mikhael v. INS*, 115 F.3d 299, 302 (5th Cir. 1997).

Sokombe also contends that the BIA and IJ wrongly concluded that he was ineligible for adjustment of status pursuant to 8 U.S.C. § 1182(a)(6)(C)(ii)(I), based on his false claim of United States citizenship on a job application. The IJ and BIA specifically found that Sokombe was not credible in his assertions that he relied on information received from others and that his reliance on the explanations given by these other people was reasonable. Sokombe has not presented “compelling evidence” to show that the credibility determination of the IJ and BIA should be reversed. *Mikhael*, 115 F.3d at 302. As a result, Sokombe has not established that the IJ abused his discretion in denying Sokombe’s motion for a continuance of his hearing for processing of his adjustment-of-status application. *Witter v. INS*, 113 F.3d 549, 555-56 (5th Cir. 1997).

PETITION DENIED.