

**June 13, 2006**

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-60691  
Summary Calendar

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RUBYANTO DERMAWAN,

Petitioner,

versus

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

Respondent.

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A95 607 166  
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Before KING, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:\*

Rubyanto Dermawan, a native and citizen of Indonesia, petitions this court to review the decision of the Board of Immigration Appeals (BIA) affirming the immigration judge's decision denying his application for asylum, withholding of removal, and relief under the Convention Against Torture (CAT). Dermawan argues that he demonstrated past persecution on account of his ethnicity and a well-founded fear of future persecution.

Because Dermawan does not address the BIA's finding that his application for asylum is time-barred, he has abandoned 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

issue, and we will not review it. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993). Likewise, he has abandoned his argument for relief under the CAT by failing to discuss the issue in his brief. Id.

With respect to Dermawan's claim for withholding of removal, he testified that he was discriminated against and was the victim of crime because of his ethnicity. We conclude, however, that the BIA's determination that Dermawan's treatment did not rise to the level of persecution is supported by substantial evidence, and the record does not compel a contrary conclusion. See Eduard v. Ashcroft, 379 F.3d 182, 188 (5th Cir. 2004); Ozdemir v. INS, 46 F.3d 6, 7-8 (5th Cir. 1994); Chun v. INS, 40 F.3d 76, 78 (5th Cir. 1994).

The petition for review is DENIED.