

August 18, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-60976
Summary Calendar

ABEL SAINTILMA,

Petitioner,

versus

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

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A97 133 927

Before SMITH, WIENER, and OWEN, Circuit Judges.

PER CURIAM:*

Abel Saintilma, a native and citizen of Haiti, petitions this court to review the decision of the Board of Immigration Appeals (BIA) affirming without opinion the immigration judge's (IJ) denial of his application for asylum and withholding of removal. Saintilma argues that the IJ applied the wrong legal standard and erroneously determined that he did not suffer past persecution and did not have a well-founded fear of future persecution. He also argues that the IJ erroneously determined

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 fleeing from general civil strife and could relocate within Haiti.

Saintilma's asylum claim is based on two incidents in which the Chimere, a group supporting former president Jean-Bertrand Aristide, threatened him because Saintilma is opposed to Aristide. We conclude from a review of the record that the BIA's decision is supported by substantial evidence, and the record does not compel a conclusion contrary to the IJ's findings that the encounters with the Chimere do not rise to the level of persecution and that Saintilma failed to show a well-founded fear of future persecution. See Eduard v. Ashcroft, 379 F.3d 182, 187 (5th Cir. 2004); Mikhael v. INS, 115 F.3d 299, 304 (5th Cir. 1997).

The petition for review is DENIED.