

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

May 21, 2008

No. 07-60486
Summary Calendar

Charles R. Fulbruge III
Clerk

MARY W BENSON

Petitioner

v.

MICHAEL B MUKASEY, U S ATTORNEY GENERAL

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A29 348 491

Before KING, DAVIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Mary W. Benson, a native and citizen of Kenya, has filed a petition for review of the Board of Immigration Appeals' (BIA) order denying her application for asylum, withholding of removal, and relief under the Convention Against Torture (CAT). In rejecting Benson's application, the BIA found that Benson lacked credibility.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

On a petition for review of a BIA decision, this court reviews the factual findings for substantial evidence. *Ozdemir v. INS*, 46 F.3d 6, 7 (5th Cir. 1994). Under the substantial evidence standard, this court will affirm the BIA's decision unless the evidence compels a contrary conclusion. *Id.* at 8. "The applicant has the burden of showing that the evidence is so compelling that no reasonable factfinder could reach a contrary conclusion." *Chen v. Gonzales*, 470 F.3d 1131, 1134 (5th Cir. 2006).

The decision of the BIA to reject Benson's testimony as incredible is based on a reasonable interpretation of the record and therefore is supported by substantial evidence. See *Chun v. INS*, 40 F.3d 76, 79 (5th Cir. 1994). Moreover, even if Benson's testimony was deemed credible, the record does not compel a finding that she is eligible for asylum, withholding of removal, and relief under the CAT. See *Chen*, 470 F.3d at 1134. Accordingly, Benson's petition for review is DENIED.