

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

United States Court of Appeals
Fifth Circuit

FILED

August 12, 2009

Charles R. Fulbruge III
Clerk

No. 08-60758
Summary Calendar

MU LAN LIU

Petitioner

v.

ERIC H HOLDER, JR, U S ATTORNEY GENERAL

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A99 077 293

Before KING, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:*

Mu Lan Liu, a native and citizen of China, petitions for review of an order of the Board of Immigration Appeals (BIA) affirming the immigration judge's decision to deny withholding of removal under the Immigration and Nationality Act (INA). Liu argues that she fears future persecution, and thus is entitled to withholding of removal, because the birth of her second child places her in violation of China's population control policy. Liu has failed to show that the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Change City family planning handbook and administrative opinion she adduced were more persuasive than documents produced by the United States State Department regarding the situation in China. *See Rojas v. INS*, 937 F.2d 186, 190 n.1 (5th Cir. 1991). Nor do the documents provide specific evidence regarding the probability of future persecution of Liu on the basis of her foreign-born children. *See Matter of S-Y-G*, 24 I&N Dec. 247, 255 (BIA 2007). Liu's own equivocal testimony and that of her aunt-by-marriage were insufficient to show that Liu would be subject to either physical force or other enforcement measures "of sufficient severity that it amounts to persecution." *See Zhu v. Gonzales*, 493 F.3d 588, 600 (5th Cir. 2007).

Liu's evidence was not "so compelling that no reasonable factfinder could fail to find the requisite fear of persecution." *See Jukic v. INS*, 40 F.3d 747, 749 (5th Cir. 1994) (quoting *INS v. Elias-Zacarias*, 502 U.S. 478, 483-84 (1992)). Liu has consequently not shown that the evidence compels a conclusion contrary to the BIA's rejection of her claims. *See Carbajal-Gonzalez v. INS*, 78 F.3d 194, 197 (5th Cir. 1996).

Liu's petition for review is DENIED.