

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-60463  
Summary Calendar

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JAYA SUNDARA UDAYA,

Petitioner,

versus

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

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Petition for Review of an Order  
of the Board of Immigration Appeals  
(A70-629-603)

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April 17, 1996

Before JOLLY, JONES, and STEWART, Circuit Judges.

PER CURIAM:\*

Jaya Sundara Udaya petitions this court to review the decision of the Board of Immigration Appeals (BIA) denying his applications for asylum and withholding of deportation. Jaya Sundara Udaya contends that he established a well-founded fear of persecution based on his political opinion and his membership in a particular social group, consisting of people who have attempted to foreswear membership in the terrorist JVP party. We have reviewed

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

the record, the BIA's decision, the briefs and determine that the evidence does not compel reversal of the BIA's determination. Chun v. INS, 40 F.3d 76, 78 (5th Cir. 1994). There is no evidence that Udaya made his political opinions known to the JVP or that JVP attempted to persecute him because of his opinion. Gomez-Mejia v. INS, 56 F.3d 700, 701 (5th Cir. 1995). Further, there is no evidence that those members who have left the JVP have been persecuted because of the factors identified in the statute, as opposed to their breaking the JVP's rules.

Petition DENIED.