

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-60851
Summary Calendar

MAJAED BATARSEH,

Petitioner,

versus

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent.

- - - - -
Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A29 608 501
(A29-608-501)
- - - - -

November 18, 1998

Before EMILIO M. GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Majaed Batarseh petitions for review of the Board of Immigration Appeals' decision dismissing his appeal from the immigration judge's decision to deny his application for asylum and withholding of deportation. We have reviewed the record, the briefs, and the applicable law and determine that the Board was qualified to apply the correct standard of law to the facts of the case upon a determination that the Immigration Judge had

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

imposed an incorrect burden of proof. The Board has *de novo* review authority to make factual findings on appeal. Castillo-Rodriguez v. INS, 929 F.2d 181, 183 (5th Cir. 1991). This also applies to the application of facts to the correct standard of law. We also determine that the Board did not abuse its discretion in denying petitioner's application for asylum because the Board found that he did not meet the standards to qualify for asylum. The petition for review is DENIED.