

September 29, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-60914
Summary Calendar

TAJUDDIN PYARALI SURANI; LAILA TAJUDDIN SURANI; ZOHRA
TAJUDDIN SURANI; NAILA SURANI,

Petitioners,

versus

JOHN ASHCROFT, U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA Nos. A76 775 586
 A76 775 587
 A76 775 588
 A76 775 589

Before JOLLY, HIGGINBOTHAM, and PICKERING, Circuit Judges.

PER CURIAM:*

Tajuddin Pyarali Surani, Laila Tajuddin Surani, Zohra
Tajuddin Surani, and Naila Surani petition for review of an order
of the Board of Immigration Appeals (BIA) affirming the
immigration judge's (IJ's) decision to deny their applications
for asylum, and withholding of removal under the Immigration and

* 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that this opinion should not be published and is not precedent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.

Nationality Act (INA), and withholding of removal under the Convention Against Torture (CAT).

The Suranis contend that the BIA's procedure of summarily affirming the IJ's decision without opinion violated their due process rights. This argument is without merit. Soadjede v. Ashcroft, 324 F.3d 830, 832-33 (5th Cir. 2003).

The Suranis also assert that the IJ overlooked their showing of past persecution and so erroneously held them to the "more likely than not" standard of 8 C.F.R. § 208.16(b)(1)(iii). The three incidents outlined in the Suranis' testimony before the IJ do not constitute past persecution. See Mikhael v. INS, 115 F.3d 299, 304 & n.4 (5th Cir. 1997). Hence, the record does not compel a conclusion contrary to the BIA's determination. See Carbajal-Gonzalez v. INS, 78 F.3d 194, 195 (5th Cir. 1996).

PETITION DENIED.