

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

March 24, 2022

Lyle W. Cayce
Clerk

No. 21-60570
Summary Calendar

BALRAJ LNU,

Petitioner,

versus

MERRICK GARLAND, *U.S. Attorney General,*

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
BIA No. A201 756 215

Before KING, COSTA, and HO, *Circuit Judges.*

PER CURIAM:*

Balraj Lnu is a native and citizen of India. He seeks review of a Board of Immigration Appeals (BIA) opinion denying asylum, withholding of removal, and relief under the Convention Against Torture (CAT). The petition for review is denied.

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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An asylum application can be denied due to the applicant's failure to provide reasonably available corroborating information. *Yang v. Holder*, 664 F.3d 580, 584-85, 587 (5th Cir. 2011). Under 8 U.S.C. § 1252(b)(4), courts are prohibited from reversing the trier of fact's determination regarding the availability of corroborating evidence unless the court finds that a reasonable trier of fact would be compelled to conclude that corroborating evidence is unavailable. *See Yang*, 664 F.3d at 587. The record does not compel the conclusion that corroborating evidence was not available to Lnu.

To qualify for protection under the CAT, an applicant must prove that he would, more likely than not, be tortured if returned to the proposed country of removal. 8 C.F.R. § 1208.16(c)(2). Given the lack of evidence provided to corroborate his allegations, Lnu "has not shown the evidence is so compelling that no reasonable fact finder could fail to find [him] eligible for CAT relief." *Roy v. Ashcroft*, 389 F.3d 132, 140 (5th Cir. 2004).

The petition for review is DENIED.