

# United States Court of Appeals for the Fifth Circuit

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No. 21-60939  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

February 23, 2023

Lyle W. Cayce  
Clerk

SUDHIR OLI,

*Petitioner,*

*versus*

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

*Respondent.*

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Petition for Review of an Order of the  
Board of Immigration Appeals  
Agency No. A216 264 704

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Before SMITH, DENNIS, and SOUTHWICK, *Circuit Judges.*

PER CURIAM:\*

Sudhir Oli, a native and citizen of Nepal, petitions this court for review of an order of the Board of Immigration Appeals (BIA) dismissing his appeal from an order of the Immigration Judge (IJ) finding him not credible and denying his application for asylum, withholding of removal, and relief under the Convention Against Torture (CAT). We review for substantial

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 21-60939

evidence and will not disturb the BIA's conclusions unless the evidence compels a contrary conclusion. *Singh v. Sessions*, 880 F.3d 220, 224-25 (5th Cir. 2018).

As the BIA explained, there were inconsistencies between Oli's statement to the asylum officer during his credible fear interview (CFI) and his hearing testimony. The inconsistencies were a sufficient basis for the contested credibility determination. *See Arulnanthy v. Garland*, 17 F.4th 586, 593 (5th Cir. 2021); *Avelar-Oliva v. Barr*, 954 F.3d 757, 767 (5th Cir. 2020); 8 U.S.C. § 1158(b)(1)(B)(ii). Insofar as Oli insists that the IJ's rejection of his CAT claim necessarily incorporated the adverse credibility determination, the record shows that he is wrong. *See Arulnanthy*, 17 F.4th at 597-98. The petition for review is DENIED.