

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 8, 2025

Lyle W. Cayce
Clerk

No. 25-60070
Summary Calendar

LAUREANA HERNANDEZ-RODAS; MARTHA GLADIOLA ZAPET-
HERNANDEZ,

Petitioners,

versus

PAMELA BONDI, *U.S. Attorney General,*

Respondent.

Petition for Review of an Order of the
Board of Immigration Appeals
Agency Nos. A201 684 204,
A201 684 205

BARKSDALE, GRAVES, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

Laureana Hernandez-Rodas and Martha Gladiola Zapet-Hernandez, both natives and citizens of Guatemala, petition for review of the Board of Immigration Appeals' (BIA) dismissing their appeal from the Immigration Judge's (IJ): denial of asylum, withholding of removal, and protection under

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

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the Convention Against Torture (CAT); and order of removal. (Zapet-Hernandez is Hernandez' child and a rider on her application for relief.) Hernandez asserts the BIA erred by: adopting the IJ's decision that she did not qualify for asylum or withholding of removal; and concluding she failed to adequately challenge the IJ's denial of CAT relief.

Our court reviews the BIA's decision and considers the IJ's decision only to the extent it influenced the BIA. *Orellana-Monson v. Holder*, 685 F.3d 511, 517 (5th Cir. 2012). The BIA's factual findings are reviewed for substantial evidence; its legal conclusions, *de novo*. *Id.* Findings of fact, including an applicant's eligibility for asylum, withholding of removal, and relief under CAT, are reviewed under the substantial-evidence standard. *E.g.*, *Chen v. Gonzales*, 470 F.3d 1131, 1134 (5th Cir. 2006). Under this standard, our court will not disturb the BIA's decision unless the evidence "compels" a contrary conclusion. *E.g.*, *Revencu v. Sessions*, 895 F.3d 396, 401 (5th Cir. 2018) (emphasis in original) (citation omitted).

Hernandez' evidence for asylum and withholding does not "compel" a conclusion different from that of the BIA's. Regarding asylum, she fails to show, *inter alia*, that she feared anything more than general crime and violence in Guatemala. *See Vazquez-Guerra v. Garland*, 7 F.4th 265, 270 (5th Cir. 2021) ("Threats or attacks motivated by criminal intentions do not provide a basis for protection."). Furthermore, because withholding of removal requires "a higher standard than asylum", one who fails to show eligibility for the latter likewise fails to qualify for the former. *Efe v. Ashcroft*, 293 F.3d 899, 906 (5th Cir. 2002).

Regarding CAT relief, Hernandez failed before the BIA to meaningfully challenge the IJ's denial of such relief, with the BIA's concluding that, as a result, the issue was waived. *See Matter of P-B-B-*, 28 I. & N. Dec. 43, n.1 (BIA 2020) (noting issues not raised at BIA are waived).

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Because the BIA did not consider the merits of this claim, we decline to consider it. *See Santos-Alvarado v. Barr*, 967 F.3d 428, 440 n.13 (5th Cir. 2020).

DENIED.