

United States Court of Appeals  
for the Fifth Circuit

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No. 25-60406  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 2, 2026

Lyle W. Cayce  
Clerk

BIBEK KAMUR KC,

*Petitioner,*

*versus*

TODD WALLACE BLANCHE, *Acting U.S. Attorney General,*

*Respondent.*

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Petition for Review of an Order of the  
Board of Immigration Appeals  
Agency No. A209 874 880

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Before JONES, DUNCAN, and DOUGLAS, *Circuit Judges.*

PER CURIAM:\*

Bibek Kamur KC, a native and citizen of Nepal, petitions for review of the decision of the Board of Immigration Appeals (BIA) upholding the denial of his application for asylum, withholding of removal, and protection under the Convention Against Torture (CAT). We review the BIA's decision and consider the decision of the immigration judge (IJ) only to the

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

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extent it influenced the BIA. *See Santos-Alvarado v. Barr*, 967 F.3d 428, 436 (5th Cir. 2020).

The agency's adverse credibility determination was supported by specific and cogent reasons based on the record, and KC fails to show that no reasonable factfinder could have made the finding considering the totality of the circumstances. *See id.* at 436-39; *Arulnanthy v. Garland*, 17 F.4th 586, 594 (5th Cir. 2021). Given the agency's rejection of his testimony as not credible, KC's argument contesting whether the Nepali government was unable or unwilling to protect him or would acquiesce to his being tortured is unavailing. *See Arulnanthy*, 17 F.4th at 597 (recognizing that an adverse credibility determination generally is a rejection of every part of the witness's testimony unless otherwise stated). Additionally, KC does not rely here on the State Department Human Rights Report that he cited in the BIA, and he has thus waived any argument that the BIA erred in concluding that the report was insufficient to satisfy his burden. *See Medina Carreon v. Garland*, 71 F.4th 247, 255 (5th Cir. 2023). KC did not file nontestimonial evidence, and the adverse credibility determination is dispositive as to the merits of his claims for asylum, withholding of removal, and protection under the CAT. *See Santos-Alvarado*, 967 F.3d at 439.

To prevail on his due process claims, KC must make an initial showing of substantial prejudice by making a prima facie showing that the alleged violations affected the outcome of his proceedings. *See id.*; *Ogbemudia v. INS*, 988 F.2d 595, 598 (5th Cir. 1993). His assertions about how his case might have been helped if he had counsel, or if his motion for consolidation had been granted, lack specificity and are insufficient to satisfy his burden on the issue of prejudice. *See Bolvito v. Mukasey*, 527 F.3d 428, 438 (5th Cir. 2008).

The petition for review is DENIED.