

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 06-3937

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Said Shaaban Mgambo,

Petitioner,

v.

Michael B. Mukasey,<sup>1</sup>

Respondent.

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\* Petition for Review of  
\* an Order of the Board  
\* of Immigration Appeals  
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\* [UNPUBLISHED]  
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Submitted: July 2, 2008  
Filed: July 11, 2008

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Before BYE, SMITH, and BENTON, Circuit Judges.

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PER CURIAM.

Tanzanian citizen Said Shaaban Mgambo petitions for review of an order of the Board of Immigration Appeals (BIA), which dismissed his appeal of an Immigration Judge's (IJ's) denial of asylum, withholding of removal, and relief under the Convention Against Torture (CAT). We deny the petition.

We lack jurisdiction to review the determination that Mgambo's asylum application was barred as untimely filed. See 8 U.S.C. § 1158(a)(3); Ngure v.

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<sup>1</sup>Michael B. Mukasey, now Attorney General of the United States, is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

Ashcroft, 367 F.3d 975, 989 (8th Cir. 2004). With respect to Mgambo's other requests for relief, we conclude that the denial of withholding of removal and CAT relief are supported by substantial evidence in the record. See Ming Ming Wijono v. Gonzales, 439 F.3d 868, 872, 874 (8th Cir. 2006) (standards of review). Mgambo testified that he was not harmed in Tanzania and there was no evidence indicating that any alleged prosecution or punishment he may face upon return to Tanzania would be disproportionate or a pretext for persecuting him on account of a protected ground. Cf. Kozulin v. INS, 218 F.3d 1112, 1118 (9th Cir. 2000). Finally, his allegations regarding prison conditions and mob justice do not provide grounds for reversal. Cf. Lin v. U.S. Dep't of Justice, 432 F.3d 156, 159-60 (2d Cir. 2005).

Accordingly, we deny the petition.

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