

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

---

No. 08-1923

---

Domingo Velasquez-Domingo,	*	
	*	
Petitioner,	*	
	*	Petition for Review of
v.	*	an Order of the Board
	*	of Immigration Appeals.
Eric H. Holder, Jr., <sup>1</sup> Attorney General	*	
of the United States,	*	
	*	[UNPUBLISHED]
Respondent.	*	

---

Submitted: June 5, 2009  
Filed: June 9, 2009

---

Before RILEY, SMITH, and BENTON, Circuit Judges.

---

PER CURIAM.

Guatemalan citizen Domingo Velasquez-Domingo petitions for review of an order of the Board of Immigration Appeals (BIA) that affirmed an immigration judge's (IJ's) denial of his application for asylum and withholding of removal.<sup>2</sup>

---

<sup>1</sup>Eric H. Holder, Jr., has been appointed to serve as Attorney General of the United States, and is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

<sup>2</sup>Velasquez-Domingo also purports to challenge the IJ's denial of relief under the Convention Against Torture (CAT), but he did not raise a CAT claim below, and

Having carefully reviewed the record, we deny the petition. See Eta-Ndu v. Gonzales, 411 F.3d 977, 982-83 (8th Cir. 2005) (standard of review).

We conclude that substantial evidence supports the IJ's conclusion that Velasquez-Domingo did not establish past persecution or a well-founded fear of future persecution on account of a protected ground. See Lengkong v. Gonzales, 478 F.3d 859, 863 (8th Cir. 2007) (incidents of random isolated violence did not compel finding of persecution); Gomez v. Gonzales, 425 F.3d 543, 545-47 (8th Cir. 2005) (record must compel finding that protected ground motivated persecutors' actions); Alyas v. Gonzales, 419 F.3d 756, 760-61 (8th Cir. 2005) (to establish persecution when harm was inflicted by private individual, asylum applicant must show that government was unwilling or unable to protect him). Velasquez-Domingo's claim for withholding of removal--which carries a more rigorous burden of proof--necessarily fails as well. See Makatengkeng v. Gonzales, 495 F.3d 876, 885 (8th Cir. 2007).

Accordingly, we deny the petition.

---

---

he does not now assert that the IJ erred by not considering his asylum application as raising a CAT claim, see Halabi v. Ashcroft, 316 F.3d 807, 808 (8th Cir. 2003) (per curiam) (issues not raised in appeal brief are waived).