

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

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No. 08-2880

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Juan Mendoza-Mejia,

Petitioner,

v.

Eric H. Holder, Jr.,<sup>1</sup> Attorney General of  
the United States; Janet Napolitano,<sup>2</sup>  
Secretary of the Department of  
Homeland Security,

Respondents.

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\* Petition for Review of  
\* an Order of the Board  
\* of Immigration Appeals.

\* [UNPUBLISHED]

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Submitted: October 29, 2009  
Filed: November 3, 2009

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Before WOLLMAN, RILEY, and SMITH, Circuit Judges.

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PER CURIAM.

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<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>Janet Napolitano has been appointed to serve as Secretary of the Department of Homeland Security, and is substituted as respondent pursuant to Federal Rule of Appellate Procedure 43(c).

Juan Mendoza-Mejia, a citizen of Guatemala, petitions for review of an order of the Board of Immigration Appeals. Because substantial evidence supports the Board's determination that Mendoza-Mejia was not subjected to past persecution and does not have a well-founded fear of future persecution in Guatemala, we deny review of Mendoza-Mejia's claims for asylum, withholding of removal, and relief under the Convention Against Torture. See Zacarias-Velasquez v. Mukasey, 509 F.3d 429, 432-34 (8th Cir. 2007); Gitimu v. Holder, 2009 WL 2998097, at \*5 (8th Cir. Sept. 22, 2009). Because this court lacks jurisdiction to review the Board's determination that Mendoza-Mejia failed to prove his removal would cause an exceptional and extremely unusual hardship to his spouse or child under 8 U.S.C. § 1229b(b)(1)(D), we also deny review of his claim for cancellation of removal. See Zacarias-Velasquez, 509 F.3d at 434. Accordingly, Mendoza-Mejia's petition is denied.

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