

United States Court of Appeals
For the Eighth Circuit

No. 15-3957

Elvis H. Tobar Hernandez

Petitioner

v.

Loretta E. Lynch, Attorney General of the United States

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals

Submitted: October 12, 2016

Filed: October 17, 2016

[Unpublished]

Before SMITH, BENTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

Elvis H. Tobar Hernandez, a citizen of El Salvador, petitions for review of an order of the Board of Immigration Appeals dismissing his appeal from an adverse decision of an immigration judge. He challenges the denial of his claim for withholding of removal based on an alleged well-founded fear of future persecution, and the denial of relief under the Convention Against Torture (CAT). After careful

consideration, we conclude that substantial evidence supports the decision. See Davila-Mejia v. Mukasey, 531 F.3d 624, 627, 629 (8th Cir. 2008) (standard of review); cf. Garcia v. Holder, 746 F.3d 869, 872-73 (8th Cir. 2014) (opposition to gangs is not basis for cognizable “particular social group”); Cooke v. Mukasey, 538 F.3d 899, 908 (8th Cir. 2008) (claim under CAT fails where based on same facts as unsuccessful asylum and withholding-of-removal claims).

The petition is denied. See 8th Cir. R. 47B.
