

**United States Court of Appeals**  
**For the Eighth Circuit**

---

No. 17-1697

---

Hector Morales-Tigu

*Petitioner*

v.

Jefferson B. Sessions, III, Attorney General of United States

*Respondent*

---

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

---

Submitted: February 6, 2018

Filed: February 13, 2018

[Unpublished]

---

Before GRUENDER, BOWMAN, and KELLY, Circuit Judges.

---

PER CURIAM.

Guatemalan citizen Hector Morales-Tigu petitions for review of an order of the Board of Immigration Appeals dismissing his appeal from the decision of an immigration judge (IJ) denying his request for asylum and withholding of removal.<sup>1</sup>

We conclude that substantial evidence supports the agency's determination that Morales-Tigu failed to show that the Guatemalan government is unable or unwilling to control the private actors that he fears. This finding is dispositive of Morales-Tigu's asylum claim. See Gutierrez-Vidal v. Holder, 709 F.3d 728, 732–33 (8th Cir. 2013). Because Morales-Tigu did not satisfy asylum's lower burden, his withholding claim fails as well. See id. at 733.

We deny the petition for review.

---

---

<sup>1</sup>The IJ's denial of relief under the Convention Against Torture is not before this Court. See Hernandez v. Holder, 760 F.3d 855, 863 (8th Cir. 2014) (noting that arguments not raised in an opening brief are waived).