

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

SUMMARY ORDER

THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS OR ANY OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS OR ANY OTHER COURT IN A SUBSEQUENT STAGE OF THIS CASE, IN A RELATED CASE, OR IN ANY CASE FOR PURPOSES OF COLLATERAL ESTOPPEL OR RES JUDICATA.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, Foley Square, in the City of New York, on the 15th day of September, two thousand and three.

PRESENT: HON. PIERRE N. LEVAL,  
HON. DENNIS JACOBS,  
HON. ROSEMARY S. POOLER,

Circuit Judges.

- - - - -X  
SAI JIN ZHAO,

Petitioner,

-v.-

02-4255

JOHN ASHCROFT, Attorney General  
of the United States, UNITED  
STATES DEPARTMENT OF JUSTICE,  
EXECUTIVE OFFICE FOR IMMIGRATION  
REVIEW, IMMIGRATION AND  
NATURALIZATION SERVICE,

Respondents.

- - - - -X

APPEARING FOR PETITIONER: DOUGLAS B. PAYNE, New York, NY.

APPEARING FOR RESPONDENT: MICHAEL R. HOLDEN, Assistant  
United States Attorney for the

Southern District of New York  
(James B. Comey, United States  
Attorney, Kathy S. Marks,  
Assistant United States  
Attorney, Sara L. Shudofsky,  
Assistant United States  
Attorney, on the brief).

Petition to review the denial of an application for  
asylum and withholding of deportation.

**UPON DUE CONSIDERATION, IT IS HEREBY ORDERED,  
ADJUDGED AND DECREED** that the petition is **DENIED**.

Sai Jin Zhao submits this petition to review an order  
of the Board of Immigration Appeals ("BIA") summarily  
affirming the denial of her application for asylum and  
withholding of deportation. The petition is denied.

The BIA may summarily affirm a decision by an  
immigration judge ("IJ") if the decision "contains  
sufficient reasoning and evidence to enable [the Court]  
to determine that the requisite factors were considered."  
Arango-Aradondo v. INS, 13 F.3d 610, 613 (2d Cir. 1994).  
Here the IJ's decision contains sufficient reasoning and  
evidence to permit review of its conclusions.

We uphold factual findings concerning asylum  
eligibility if supported by substantial evidence. Melgar  
de Torres v. Reno, 191 F.3d 307, 312-13 (2d Cir. 2002).  
Substantial evidence is "such relevant evidence as a  
reasonable mind might accept as adequate to support a  
conclusion." Richardson v. Perales, 402 U.S. 389, 401  
(1971) (citation omitted). The scope of our review is  
thus "exceedingly narrow." Melgar de Torres, 191 F.3d at  
313 (citation and internal quotation marks omitted). And  
we defer to an IJ's credibility findings. Qiu v.  
Ashcroft, 329 F.3d 140, 146 n.2 (2d Cir. 2003). Here,  
the IJ found numerous evidentiary inconsistencies  
involving, inter alia: (1) documents submitted to  
establish Zhao's identity (including her birth and  
marriage certificates); testimony concerning the  
circumstances of her alleged forced sterilization and (3)  
the origin of her "household book"--the only document  
referring to her children. These evidentiary  
inconsistencies went to the heart of her asylum  
application. The IJ's refusal to credit Zhao's testimony  
based on these inconsistencies was reasonable, and his

denial of her application was based on substantial evidence.

FOR THE COURT:  
ROSEANN B. MACKECHNIE, CLERK  
By:

    Oliva George  
Oliva George, Deputy Clerk