United States Court of Appeals

For the First Circuit

No. 05-1130

XU YANG,

Petitioner,

v.

ALBERTO GONZALES, ATTORNEY GENERAL,[*]

Respondent.

ON PETITION FOR REVIEW OF AN ORDER OF
THE BOARD OF IMMIGRATION APPEALS

Before

Boudin, Chief Judge,
Lynch and Lipez, Circuit Judges.

Xu Yang on brief pro se.
Peter Keisler, Assistant Attorney General, Michelle E. Gorden,
Senior Litigation Counsel and Larry P. Cote, Trial Attorney, Office
of Immigration Litigation, Civil Division, on brief for respondent.

July 29, 2005

[*]Alberto Gonzales was sworn in as United States Attorney General
on February 3, 2005. We have substituted him for John Ashcroft,
previous holder of that office, as the respondent. See Fed. R.
App. P. 43(c)(2).

Per Curiam. Pro se petitioner Xu Yang ("Yang") seeks review of a final order of removal issued by the Board of Immigration Appeals ("BIA"), which affirmed, without opinion, the decision of the Immigration Judge ("IJ") denying Yang's applications for asylum, withholding of removal, and protection under the Convention against Torture. Yang's only argument on appeal is that the IJ erred in finding him not credible. The main reason the IJ discounted Yang's testimony was because of discrepancies, which the IJ recounted, between Yang's testimony at the hearing and his affidavit in support of his application for asylum. We have examined the record and find substantial evidence to support the IJ's finding of discrepancies between Yang's testimony and affidavit. These discrepancies are significant and major, relating to dates and events that go to the heart of Yang's asylum claim. They amply support the IJ's determination that Yang was not a credible witness. See Bojorques-Villanueva v. INS, 194 F.3d 14, 17 (1st Cir. 1999) (upholding adverse credibility finding based on multiple inconsistencies going to central facts of claim).

The BIA's order is affirmed. The petition for review is denied.