

1 UNITED STATES COURT OF APPEALS
2 FOR THE SECOND CIRCUIT
3

4 SUMMARY ORDER
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6 THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL REPORTER
7 AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS OR ANY
8 OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS OR ANY
9 OTHER COURT IN A SUBSEQUENT STAGE OF THIS CASE, IN A RELATED
10 CASE, OR IN ANY CASE FOR PURPOSES OF COLLATERAL ESTOPPEL OR RES
11 JUDICATA.
12

13 At a stated term of the United States Court of Appeals for
14 the Second Circuit, held at the Daniel Patrick Moynihan United
15 States Courthouse, 500 Pearl Street, in the City of New York, on
16 the 18th day of October, two thousand and six.
17

18 PRESENT:
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20 Hon. John M. Walker, Jr.,
21 Hon. Pierre N. Leval,
22 Hon. Guido Calabresi,
23 Circuit Judges.
24

25 -----X
26
27 QIN LIN, QUI JIAN JIANG,
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29 Petitioners,
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31 v.

05-4882-ag

32
33 ALBERTO R. GONZALES,
34
35 Respondent.
36

37 -----X
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39 APPEARING FOR PETITIONER:

THOMAS V. MASSUCCI, New
York, New York.

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42 APPEARING FOR RESPONDENT:

STEPHEN E. EHLKE, Assistant
United States Attorney
(Stephen P. Sinnott, United
States Attorney for the
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1 fact [would have been] compelled to conclude that . . .
2 corroborating evidence [wa]s unavailable," 8 U.S.C. §
3 1252(b)(4), and so do not disturb the IJ's demand for
4 corroborative evidence.

5 Finally, we review the IJ's adverse credibility finding for
6 substantial evidence. Xiao Ji Chen v. U.S. Dep't of Justice, 434
7 F.3d 144, 156 & n.9 (2d Cir. 2006). Even if "analytic errors"
8 exist, we need not remand to the agency if we can confidently
9 predict that the agency would reach the same result. Li Hua Lin
10 v. DOJ, 453 F.3d 99, 106-108 (2d Cir. 2006) (reviewing the
11 circumstances in which remand would be futile). Here, remand
12 would be futile. The IJ based her adverse credibility finding
13 not only on several substantial inconsistencies in petitioner Qin
14 Lin's testimony, but also on her observation of Qin Lin's
15 demeanor during the hearing, an observation with which a court of
16 appeals is ill-suited to quibble.

17 For the foregoing reasons, the petition appealing the
18 decision of the Board of Immigration Appeals is hereby **DENIED**.

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20 FOR THE COURT:

21 Roseann B. MacKechnie, Clerk
22
23

24 By: _____
25 Lucille Carr, Deputy Clerk