



User Name: Andrea Jamison

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1. [Mironova v. INS, 20 Fed. Appx. 599](#)

Client/Matter: -None-

Search Terms: 20 Fed. Appx. 599

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Cases

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Mironova v. INS

United States Court of Appeals for the Eighth Circuit

May 16, 2001, Submitted ; October 18, 2001, Filed

No. 00-3221

Reporter

20 Fed. Appx. 599 *; 2001 U.S. App. LEXIS 22596 **

Tatyana Vladimirovna Mironova; Genadiy L. Mironov; Anna Genadievna Mironova; Anton Gennakyevito Mironov, Petitioners, v. Immigration and Naturalization Service; Curtis J. Aljets, District Director, St. Paul, Minnesota INS; Janet Reno, Attorney General of the United States, Respondents.

For JANET RENO, Respondent: Michele Y.F. Sarko, Papa Sandhu, Quynh Vu, U.S. DEPARTMENT OF JUSTICE, Office of Immigration Litigation, Washington, DC.

Judges: Before LOKEN, JOHN R. GIBSON, and FAGG, **[**2]** Circuit Judges.

Notice: **[**1]** RULES OF THE EIGHTH CIRCUIT COURT OF APPEALS MAY LIMIT CITATION TO UNPUBLISHED OPINIONS. PLEASE REFER TO THE RULES OF THE UNITED STATES COURT OF APPEALS FOR THIS CIRCUIT. UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

Opinion

[*599] PER CURIAM.

Prior History: On Petition for Review from Immigration and Naturalization Service.

Disposition: Petition denied.

Core Terms

asylum, Immigration, deportation, persecution, withholding, petition for review, well-founded, religious

Counsel: For TATYANA VLADIMIROVNA MIRONOVA, GENADIY L. MIRONOV, ANNA GENADIEVNA MIRONOVA, ANTON GENNAKYEVITO MIRONOV, Petitioners: Herbert Azubuike Igbanugo, BLACKWELL & IGBANUGO, Minneapolis, MN.

For IMMIGRATION AND NATURALIZATION SERVICE, Respondents: Mark C. Walters, Assistant Director, Michele Y.F. Sarko, Emily Anne Radford, Papa Sandhu, Quynh Vu, U.S. DEPARTMENT OF JUSTICE, Office of Immigration Litigation, Washington, DC. Julia K. Doig, U.S. DEPARTMENT OF JUSTICE, Office of Immigration Litigation, Washington, DC.

For CURTIS J. ALJETS, Respondent: Michele Y.F. Sarko, Emily Anne Radford, Papa Sandhu, Quynh Vu, U.S. DEPARTMENT OF JUSTICE, Office of Immigration Litigation, Washington, DC.

Tatyana Vladimirovna Mironova, her husband, and two children (collectively the Mironovas) are citizens of Ukraine. They applied to the Immigration and Naturalization Service (INS) for asylum and withholding of deportation asserting they have a well-founded fear of persecution in Ukraine based on their religious beliefs. An immigration judge rejected their assertion because of inconsistencies between the Mironovas first and second asylum applications. The Board of Immigration Appeals (BIA) denied their appeal, noting the IJ rejected the Mironovas testimony about persecution as incredible. The BIA also held that even if the testimony was credible, the application would fail anyway because religious freedom is no longer denied in Ukraine since the 1991 overthrow of the Communist regime. The BIA concluded the Mironovas lacked a well-founded fear of persecution based on their religion and thus did not qualify for asylum or withholding of deportation. The Mironovas petition for review and, having carefully reviewed **[*600]** the record, we conclude substantial evidence supports the BIA's factual findings and the BIA did not abuse its discretion in denying asylum **[**3]** and withholding of deportation. [Valioukevitch v. INS, 251 F.3d 747, 749-50 \(8th Cir. 2001\)](#). We deny the petition for review for the reasons stated by the BIA. See [8th Cir. R. 47B](#).

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