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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ANA CECILIA DIAZ-MARTINEZ,

Petitioner,

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-71536

Agency No. A099-535-940

MEMORANDUM*

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

Submitted October 19, 2010**
San Francisco, California

Before: O'SCANNLAIN, TALLMAN, and BEA, Circuit Judges.

Ana Cecilia Diaz-Martinez, a native and citizen of El Salvador, petitions pro se for review of the decision of the Board of Immigration Appeals which dismissed her appeal from the immigration judge's denial of her application for asylum and relief under the Convention Against Torture.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

We reject Diaz-Martinez’s claim that she is eligible for asylum based on her membership in a particular social group, namely, victims of gang violence by gangs that the government cannot control. *See Santos-Lemus v. Mukasey*, 542 F.3d 738, 745-46 (9th Cir. 2008) (rejecting as a social group “young men in El Salvador resisting gang violence.”) In addition, substantial evidence supports the agency’s denial of CAT relief because Diaz-Martinez failed to establish that it is more likely than not that she will be tortured at the acquiescence of the government if she returns to El Salvador. *See id.* at 748.

PETITION FOR REVIEW DENIED.