

MAY 28 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SANDRA MARGARITA AMAYA-
PALACIOS; et al.,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-71513

Agency Nos. A099-537-013
 A099-537-014
 A099-537-015

MEMORANDUM*

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

Submitted May 13, 2014**

Before: CLIFTON, BEA, and WATFORD, Circuit Judges.

Sandra Margarita Amaya-Palacios, and her sons, natives and citizens of El Salvador, petition for review of the Board of Immigration Appeals' ("BIA") order sustaining respondent's appeal from an immigration judge's decision granting their

* 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).

application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We grant the petition for review and remand.

In denying petitioners' asylum and withholding of removal claims, the BIA found petitioners failed to establish a well-founded fear of future persecution on account of a protected ground. When the BIA issued its decision, it did not have the benefit of either this court's decisions in *Henriquez-Rivas v. Holder*, 707 F.3d 1081, 1083 (9th Cir. 2013) (en banc) (recognizing witnesses who testify against gang members may constitute a particular social group) and *Cordoba v. Holder*, 726 F.3d 1106 (9th Cir. 2013), or the BIA's decisions in *Matter of M-E-V-G-*, 26 I. & N. Dec. 227 (BIA 2014), and *Matter of W-G-R-*, 26 I. & N. Dec. 208 (BIA 2014). Thus, we remand petitioners' asylum and withholding of removal claims to determine the impact, if any, of these decisions. *See INS v. Ventura*, 537 U.S. 12, 16-18 (2002) (per curiam). In light of this remand, we do not reach petitioners' remaining challenges to the BIA's denial of asylum or withholding of removal at this time.

PETITION FOR REVIEW GRANTED; REMANDED.