

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 18 2022

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LIANG GUO,

Petitioner,

v.

MERRICK B. GARLAND, Attorney
General,

Respondent.

No. 14-73601

Agency No. A089-897-752

MEMORANDUM*

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

Submitted November 15, 2022**

Before: CANBY, CALLAHAN, and BADE, Circuit Judges.

Liang Guo, a native and citizen of China, petitions pro se for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his applications for asylum, withholding of removal, and protection under the Convention Against Torture ("CAT"). We have jurisdiction

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings, applying the standards governing adverse credibility determinations under the REAL ID Act. *Shrestha v. Holder*, 590 F.3d 1034, 1039-40 (9th Cir. 2010). We deny the petition for review.

Substantial evidence supports the agency's adverse credibility determination based on inconsistencies regarding Guo's passport, work history, and addresses. *See id.* at 1048 (adverse credibility finding reasonable under the totality of the circumstances). Guo's explanations do not compel a contrary conclusion. *See Lata v. INS*, 204 F.3d 1241, 1245 (9th Cir. 2000). Substantial evidence also supports the agency's finding that the remaining evidence in the record is insufficient to establish eligibility for relief. *See Yali Wang v. Sessions*, 861 F.3d 1003, 1009 (9th Cir. 2017); *see also Mukulumbutu v. Barr*, 977 F.3d 924, 927 (9th Cir. 2020) (opportunity to provide corroboration not required when testimony not credible). Thus, in the absence of credible testimony, in this case, Guo's asylum and withholding of removal claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Substantial evidence supports the agency's denial of CAT protection because Guo's claim was based on the same testimony the agency found not credible, and Guo does not point to any other evidence in the record that compels

the conclusion that it is more likely than not he would be tortured in China. *See id.*
at 1157.

The temporary stay of removal remains in place until the mandate issues.

PETITION FOR REVIEW DENIED.