

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 16 2017

FOR THE NINTH CIRCUIT

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

DORIS CHIDOZIE-SAPP,

No. 14-73731

Petitioner,

Agency No. A087-129-035

v.

MEMORANDUM *

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

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

Submitted March 8, 2017**

Before: LEAVY, W. FLETCHER, and OWENS, Circuit Judges.

Doris Chidozie-Sapp, a native and citizen of Nigeria, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's decision denying her application for withholding of removal and relief 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 created by the REAL ID Act. *Shrestha v. Holder*, 590 F.3d 1034, 1039-1040 (9th Cir. 2010). We deny the petition for review.

Substantial evidence supports the agency’s adverse credibility determination based on Chidozie-Sapp’s fraudulent marriage to a United States citizen for the sole purpose of obtaining immigration benefits. *See id.* at 1048; *Singh v. Holder*, 643 F.3d 1178, 1181 (9th Cir. 2011) (“An asylum applicant who lies to immigration authorities casts doubt on his credibility and the rest of his story.”); *Singh v. Holder*, 638 F.3d 1264, 1272 (9th Cir. 2011) (“[L]ies and fraudulent documents when they are no longer necessary for the immediate escape from persecution do support an adverse inference.”). In the absence of credible testimony, in this case, Chidozie-Sapp’s withholding of removal claim fails.

Chidozie-Sapp’s CAT claim also fails because it is based on the same statements that the agency found not credible, and Chidozie-Sapp does not point to any evidence that compels the finding it is more likely than not she would be tortured if returned to Nigeria. *See Shrestha*, 590 F.3d at 1048-49. We reject her contentions that the IJ ignored evidence.

PETITION FOR REVIEW DENIED.