

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 26 2020

FOR THE NINTH CIRCUIT

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

IRIS DEL CARMEN MORALES,

No. 15-70217

Petitioner,

Agency No. A098-253-359

v.

MEMORANDUM*

WILLIAM P. BARR, Attorney General,

Respondent.

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

Submitted August 24, 2020**

Before: SCHROEDER, TROTT, and SILVERMAN, Circuit Judges.

Iris Del Carmen Morales, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's ("IJ") decision denying her applications for asylum, withholding of removal, protection under the Convention Against Torture

* 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).

(“CAT”), and cancellation of removal. Morales has not challenged the IJ’s ruling concerning her claims for asylum or cancellation of removal in the BIA or in our court. She now seeks only withholding of removal and CAT protection.

We have jurisdiction under 8 U.S.C. § 1252. *See Garcia v. Lynch*, 798 F.3d 876, 880 (9th Cir. 2015). We review for substantial evidence the agency’s factual findings. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). We deny the petition for review.

Substantial evidence supports the agency’s conclusion that Morales failed to establish that she would be persecuted on account of a protected ground. *See Garcia v. Holder*, 749 F.3d 785, 791 (9th Cir. 2014). The record does not compel the conclusion that the BIA erred by determining that the attacks against Morales were opportunistic criminal acts with no nexus to a protected ground. Thus, her withholding of removal claim fails.

Substantial evidence supports the agency’s denial of CAT protection because Morales failed to show it is more likely than not she will be tortured by or with the consent or acquiescence of the government if returned to Guatemala. *See Zheng v. Holder*, 644 F.3d 829, 835-36 (9th Cir. 2011).

PETITION FOR REVIEW DENIED.