

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 9 2022

FOR THE NINTH CIRCUIT

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

ROLANDO CARRILLO-RAMOS,

No. 18-71273

Petitioner,

Agency No. A208-121-878

v.

MEMORANDUM\*

MERRICK B. GARLAND, Attorney  
General,

Respondent.

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

Submitted December 7, 2022\*\*  
San Francisco, California

Before: GRABER, WALLACH,<sup>\*\*\*</sup> and WATFORD, Circuit Judges.

Rolando Carrillo-Ramos petitions for review of a Board of Immigration  
Appeals (“BIA”) decision dismissing his appeal from the decision of an

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\* 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).

\*\*\* The Honorable Evan J. Wallach, United States Circuit Judge for the  
U.S. Court of Appeals for the Federal Circuit, sitting by designation.

immigration judge (“IJ”) denying his applications for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). We deny the petition.

1. Substantial evidence supports the BIA’s denial of Carrillo-Ramos’s applications for asylum and withholding of removal. The agency permissibly concluded that Carrillo-Ramos did not establish past persecution or a well-founded fear of future persecution on account of one of the protected grounds enumerated in 8 U.S.C. § 1101(a)(42)(A). Although Carrillo-Ramos received threats from at least one gang, the threats did not rise to the level that constitutes persecution. *See Sharma v. Garland*, 9 F.4th 1052, 1062 (9th Cir. 2021) (“Most threats do not rise to the level of persecution. . . . We have been most likely to find persecution where threats are repeated, specific and combined with confrontation or other mistreatment.” (cleaned up)).

In addition, Carrillo-Ramos did not establish a nexus between the persecution and his two proposed social groups, “Christians that oppose gang activity” and “family.” The record does not contain evidence that the gang targeted Carrillo-Ramos because of his religious beliefs, and instead indicates it targeted him because he refused to join. There is no evidence in the record that he experienced past harm on account of his family membership or that other family members have experienced past harm on account of their family membership.

2. Substantial evidence also supports the BIA's denial of CAT protection.

An applicant for CAT relief must show that torture upon removal is "more likely than not." 8 C.F.R. § 1208.16(c)(2). "[G]eneralized evidence of violence and crime" that is not specific to an applicant "is insufficient to meet this standard."

*Delgado-Ortiz v. Holder*, 600 F.3d 1148, 1152 (9th Cir. 2010) (per curiam).

Although Carrillo-Ramos has presented evidence of past threats, he has not presented evidence of past torture. His concerns about indiscriminate gang violence and government corruption in Guatemala do not demonstrate that he faces a particular risk of torture. The record therefore does not compel the conclusion that it is more likely than not that Carrillo-Ramos will be tortured if removed to Guatemala. *See Cole v. Holder*, 659 F.3d 762, 770 (9th Cir. 2011).

**PETITION DENIED.**