

Not for Publication in West's Federal Reporter
United States Court of Appeals
For the First Circuit

No. 06-2070

JUAN CARLOS DIAZ MORA, ET AL.,

Petitioners,

v.

ALBERTO R. GONZÁLES, ATTORNEY GENERAL,

Respondent.

ON PETITION FOR REVIEW OF AN ORDER OF
THE BOARD OF IMMIGRATION APPEALS

Before

Lynch, Circuit Judge,
Campbell and Selya, Senior Circuit Judges.

Juan C. Diaz Mora on brief pro se.
Michael Sady, Assistant U.S. Attorney, and Michael J. Sullivan, United States Attorney, on brief for respondent.

September 13, 2007

Per Curiam. After carefully considering the briefs and record in connection with this petition for judicial review, we deny the petition and affirm the decision below.

We review the BIA's interpretation of 'persecution on the basis of social group' *de novo*. Lattab v. Ashcroft, 384 F.3d 8, 17 (1st Cir. 2004).

Although we sympathize with the petitioners' plight, they fail to establish that the criminal extortion that they experienced constitutes persecution. See Negeyn v. Gonzales, 417 F.3d 78 (1st Cir. 2005); Guzman v. INS, 327 F.3d 11 (1st Cir. 2003); Nelson v. INS, 232 F.3d 258 (1st Cir. 2000); see also Matter of Acosta, 19 I. & N. Dec. 211 (BIA 1985). Moreover, the petitioners failed to establish that wealthy, educated Colombians comprise a social group within the purview of 8 U.S.C. § 1231(b)(3)(A). See Silva v. Ashcroft, 394 F.3d 1 (1st Cir. 2005); Alvarez-Flores v. INS, 909 F.2d 1 (1st Cir. 1990); In re C-A-, 23 I. & N. Dec. 951 (BIA 2006).

The petition is denied. See 1st Cir. R. 27.0(c)