

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1437

JORGE ALBERTO ESPERANZA-MARENCO,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney General,

Respondent.

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

Submitted: October 31, 2017

Decided: November 16, 2017

Before WILKINSON, MOTZ, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Alfred L. Robertson, Jr., ROBERTSON LAW OFFICE, PLLC, Alexandria, Virginia, for
Petitioner. Chad A. Readler, Acting Assistant Attorney General, Anthony P. Nicastro,
Assistant Director, Joanna L. Watson, UNITED STATES DEPARTMENT OF JUSTICE,
Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jorge Alberto Esperanza-Marenco (“Marenco”), a native and citizen of El Salvador, petitions for review of an order of the Board of Immigration Appeals dismissing his appeal from the Immigration Judge’s denial of his applications for asylum and withholding of removal.* We deny the petition for review.

We have reviewed the record, including the transcript of Marenco’s merits hearing, his application for relief from removal, and all supporting evidence. We conclude that the record evidence does not compel a ruling contrary to any of the administrative findings of fact, *see* 8 U.S.C. § 1252(b)(4)(B) (2012), and that substantial evidence supports the denial of relief in this case, *see INS v. Elias-Zacarias*, 502 U.S. 478, 481 (1992). Nor do we discern any legal error in the agency’s rejection of the proposed social group advanced by Marenco in the agency proceedings. *See In re Acosta*, 19 I. & N. Dec. 211, 233-34 (B.I.A. 1985) (discussing immutability requirement for establishing a protected “particular social group”), *overruled on other grounds by In re Mogharrabi*, 19 I. & N. Dec. 439 (B.I.A. 1987); *see also Lizama v. Holder*, 629 F.3d 440, 446-47 (4th Cir. 2011) (recognizing deference afforded the Board’s immutability requirement for a proposed social group).

* Marenco does not provide any argument related to the Board’s affirmance of the Immigration Judge’s rejection of his claim for relief under the Convention Against Torture (CAT). Thus, Marenco has waived appellate review of the disposition of his CAT claim. *See Suarez-Valenzuela v. Holder*, 714 F.3d 241, 248-49 (4th Cir. 2013) (failing to raise a challenge to the Board’s ruling or finding in an opening brief waives the issue).

Accordingly, we deny the petition for review for the reasons stated by the Board. *See In re Esperanza-Marengo* (B.I.A. Mar. 7, 2017). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED