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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JOAQUIN A. HERNANDEZ,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 07-72256

Agency No. A094-160-355

MEMORANDUM*

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

Submitted November 16, 2010**

Before: TASHIMA, BERZON, and CLIFTON, Circuit Judges.

Joaquin A. Hernandez, a native and citizen of El Salvador, petitions pro se for review of the decision of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

We review for substantial evidence factual findings, *Santos-Lemus v. Mukasey*, 542 F.3d 738, 742 (9th Cir. 2008), and we deny the petition.

Substantial evidence supports the agency's determination that Hernandez failed to establish that he suffered past persecution by the government or guerillas. *See Nagoulko v. INS*, 333 F.3d 1012, 1017 (9th Cir. 2003). Substantial evidence also supports the agency's determination that Hernandez failed to establish a nexus between the persecution he fears from gang members in El Salvador and a statutorily protected ground. *See Barrios v. Holder*, 581 F.3d 849, 854-56 (9th Cir. 2009). Because Hernandez failed to demonstrate persecution or a well founded fear of future persecution on account of a protected ground, we deny the petition as to his asylum and withholding of removal claims. *See Nagoulko*, 333 F.3d at 1018; *Barrios*, 581 F.3d at 586.

PETITIONER FOR REVIEW DENIED.