

DEC 18 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

AMIT KUMAR SHARMA,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 08-72666

Agency No. A098-845-044

MEMORANDUM*

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

Argued and Submitted December 5, 2012
San Francisco, California

Before: O'SCANNLAIN, THOMAS, and CALLAHAN, Circuit Judges.

Amit Sharma petitions for review from the Board of Immigration Appeals' decision denying his claims for asylum under 8 U.S.C. § 1158 and withholding of removal under 8 U.S.C. § 1231(b)(3). We deny the petition. Because the parties are familiar with the history of this case, we need not recite it here.

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

The Board adequately addressed Sharma’s claims of persecution based on membership in a particular social group as Sharma presented his arguments to the Board. To the extent Sharma argues that his claim of membership in a particular social group of his immediate family was distinct from his claim of membership in a particular social group consisting of people who violate the social norm of refusing to support their extended families, Sharma did not adequately “put the BIA on notice” that these claims were separate. *See Arsdie v. Holder*, 659 F.3d 925, 929 (9th Cir. 2011) (quoting *Zhang v. Ashcroft*, 388 F.3d 713, 721 (9th Cir. 2004) (per curiam)).

Furthermore, substantial evidence supports the Board’s conclusion that Sharma failed to establish that he was persecuted on account of his membership in any purported social group and instead was persecuted on non-protected grounds. *See Parussimova v. Mukasey*, 555 F.3d 734, 740-42 (9th Cir. 2009).

PETITION DENIED.