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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>TASLIMA RAHMAN,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 09-71391

Agency No. A070-900-957

MEMORANDUM*

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

Submitted April 17, 2012**

Before: LEAVY, PAEZ, and BEA, Circuit Judges.

Taslina Rahman, a native and citizen of Bangladesh, petitions for review of the Board of Immigration Appeals’ order dismissing her appeal from an immigration judge’s decision denying her application for asylum, withholding of removal, and relief under the Convention Against Torture (“CAT”). We have

* 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).

jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence findings of fact, including adverse credibility determinations. *See Chebchoub v. INS*, 257 F.3d 1038, 1042 (9th Cir. 2001). We deny the petition for review.

Substantial evidence supports the agency's adverse credibility determination because Rahman testified inconsistently regarding whether she learned she was charged with a crime before she fled Bangladesh and omitted from her asylum application that her brother was arrested and interrogated when police came to her home to look for her. *See Chebchoub*, 257 F.3d at 1043. In the absence of credible testimony, Rahman's asylum and withholding of removal claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Because Rahman's CAT claim is based on the same testimony found to be not credible, and Rahman does not point to any other evidence that shows it is more likely than not she would be tortured if returned to Bangladesh, her CAT claim fails. *See id.* at 1157.

PETITION FOR REVIEW DENIED.