

OCT 22 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>OSCAR ARMANDO FLORES-DE PAZ,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 09-72347

Agency No. A098-595-129

MEMORANDUM\*

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

Submitted October 19, 2010\*\*  
San Francisco, California

Before: O’SANNLAIN, TALLMAN, and BEA, Circuit Judges.

Oscar Armando Flores-De Paz, a native and citizen of El Salvador, petitions pro se for review of the decision of the Board of Immigration Appeals which dismissed his appeal from the immigration judge’s denial of his applications for asylum, withholding of removal, and relief under the Convention Against Torture.

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\* 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).

Flores-De Paz contends that he was persecuted by gangs and that he is entitled to some form of relief. In his opening brief, Flores De-Paz failed to challenge the agency's finding that Flores-De Paz was not part of a cognizable social group, and therefore not entitled to asylum and withholding of removal relief. The issue therefore is waived. *See Martinez-Serrano v. Holder*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues not specifically raised and argued in a party's opening brief are waived.) In addition, petitioner failed to establish that he is entitled to CAT relief where he did not show that it was more likely than not that he would be tortured at the acquiescence of government officials if he were returned to El Salvador. *See Delgado-Ortiz v. Holder*, 600 F.3d 1148, 1152 (9th Cir. 2010); *Santos-Lemus v. Mukasey*, 542 F.3d 738, 748 (9th Cir. 2008).

**PETITION FOR REVIEW DENIED.**