

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

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MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ASHOT HRANT GASPARYAN;
MARGARITA SOREN HAKOBIAN;
GARIK GASPARYAN,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-70248

Agency Nos. A079-256-052
 A079-256-053
 A079-811-486

MEMORANDUM*

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

Submitted November 7, 2013**
Pasadena, California

Before: GOODWIN, FISHER, and CLIFTON, Circuit Judges.

Ashot Gasparyan, Margarita Hakobian, and Garik Gasparyan (the
“Gasparyans”) seek review of their claims for asylum, withholding of removal, and

* 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).

relief under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252.

After reviewing the order of the Board of Immigration Appeals (“BIA”) and examining the Immigration Judge’s “oral decision as a guide to what lay behind the BIA’s conclusion,” *Avetova-Elisseva v. INS*, 213 F.3d 1192, 1197 (9th Cir. 2000), we conclude that substantial evidence supported the adverse credibility determination. *Zamanov v. Holder*, 649 F.3d 969, 973 (9th Cir. 2011); *Singh-Kaur v. INS*, 183 F.3d 1147, 1149-50 (9th Cir. 1999). At the least, the inconsistencies and equivocations in Gasparyan’s testimony concerning the duration of his commitment to the Jehovah’s Witnesses religion go to the heart of the Gasparyans’ asylum claim. *Singh v. Gonzales*, 439 F.3d 1100, 1105 (9th Cir. 2006).

The Gasparyans’ challenges to the denial of CAT relief were never presented to the BIA below. We therefore lack jurisdiction to review them. *See Barron v. Ashcroft*, 358 F.3d 674, 677-78 (9th Cir. 2004); *Rojas-Garcia v. Ashcroft*, 339 F.3d 814, 819 (9th Cir. 2003).

DENIED.