

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

DEC 11 2014

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

RONG HE,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-73038

Agency No. A099-460-081

MEMORANDUM*

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

Submitted December 9, 2014**
Pasadena, California

Before: SILVERMAN and BEA, Circuit Judges, and BELL, District Judge.***

Rong He, a native and citizen of China, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's

* 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).

*** The Honorable Robert Holmes Bell, District Judge for the U.S. District Court for the Western District of Michigan, sitting by designation.

decision denying her application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings, applying the standards governing adverse credibility determinations created by the Real ID Act. *Shrestha v. Holder*, 590 F.3d 1034, 1039 (9th Cir. 2010). We deny the petition for review.

The agency found He not credible based on discrepancies in her testimony and supporting documents and because it found her travels implausible given her account of her release from detention. The record does not compel a contrary conclusion. *See id.* at 1048 (adverse credibility finding reasonable under totality of the circumstances); *Wang v. INS*, 352 F.3d 1250, 1257-58 (9th Cir. 2003) (inconsistencies between testimonial and documentary evidence); *Don v. Gonzales*, 476 F.3d 738, 743 (9th Cir. 2007) (implausibility of fear of authorities). Further, the agency was not compelled to accept He's explanations. *See Zamanov v. Holder*, 649 F.3d 969, 974 (9th Cir. 2011). Finally, contrary to He's contention, the IJ considered her explanations. Accordingly, in the absence of credible testimony, we deny the petition as to He's asylum and withholding of removal claims. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

PETITION FOR REVIEW DENIED.