

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 23 2016

FOR THE NINTH CIRCUIT

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

ANGEL CRUZ-JUAREZ,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-72249

Agency No. A087-966-497

MEMORANDUM*

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

Submitted August 16, 2016**

Before: O'SCANNLAIN, LEAVY, and CLIFTON, Circuit Judges.

Angel Cruz-Juarez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for withholding of removal.

We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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, 1039-40 (9th Cir. 2010). We deny the petition for review.

The BIA found Cruz-Juarez not credible based on discrepancies in his testimony and application as to the events leading to his father's arrest. Substantial evidence supports the BIA's adverse credibility determination. *See id.* at 1046-47 ("Although inconsistencies no longer need to go to the heart of the petitioner's claim [under the REAL ID Act], when an inconsistency is at the heart of the claim it doubtless is of great weight."); *id.* at 1048 (adverse credibility finding reasonable under the "totality of circumstances"). Even if Cruz-Juarez's explanations for the discrepancies were plausible, they do not compel a contrary conclusion. *See Lata v. INS*, 204 F.3d 1241, 1245 (9th Cir. 2000). In the absence of credible testimony in this case, Cruz-Juarez's withholding of removal claim fails. *See Shrestha*, 590 F.3d at 1048. In light of our disposition, we do not reach Cruz-Juarez's remaining contentions.

PETITION FOR REVIEW DENIED.