

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 23 2019

FOR THE NINTH CIRCUIT

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

RAMIRO SERGIO LOPEZ-RUIZ, AKA
Carlos Martinez-Ruiz,

Petitioner,

v.

WILLIAM P. BARR, Attorney General,

Respondent.

No. 15-72715

Agency No. A200-150-993

MEMORANDUM*

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

Submitted August 7, 2019**

Before: THOMAS, Chief Judge, HAWKINS and McKEOWN, Circuit Judges.

Ramiro Sergio Lopez-Ruiz, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing Lopez-Ruiz's appeal from an immigration judge's ("IJ") decision denying Lopez-Ruiz's

* 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).

application for asylum, withholding of removal, and relief under the Convention Against Torture (“CAT”).

We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law, *Cerezo v. Mukasey*, 512 F.3d 1163, 1166 (9th Cir. 2008), except to the extent that deference is owed to the BIA’s interpretation of the governing statutes and regulations, *Simeonov v. Ashcroft*, 371 F.3d 532, 535 (9th Cir. 2004). We review for substantial evidence the agency’s factual findings. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184–85 (9th Cir. 2006). We deny the petition for review.

Lopez-Ruiz has waived any challenge to the agency’s dispositive determination that his asylum application was untimely. *Martinez-Serrano v. INS*, 94 F.3d 1256, 1259–60 (9th Cir. 1996). Thus, his asylum claim fails.

As to withholding of removal, substantial evidence supports the BIA’s determination that Lopez-Ruiz failed to establish a nexus between the harm he fears from his brother’s wife’s family and a protected ground. *See Zayas–Marini v. INS*, 785 F.2d 801, 806 (9th Cir. 1986) (death threats grounded only in “personal animosity” insufficient to qualify for withholding of removal). As Lopez-Ruiz does not challenge the BIA’s determination that his claimed social group of Mexicans returning from the United States is not cognizable, he has waived any argument based thereon. *Martinez-Serrano*, 94 F.3d at 1259–60. Thus, Lopez-Ruiz’s withholding of removal claim fails.

In his petition for review, Lopez-Ruiz also does not challenge the BIA's determination that he failed to establish eligibility for CAT protection. Thus, he has waived the issue. *Martinez-Serrano*, 94 F.3d at 1259–60.

PETITION FOR REVIEW DENIED.