

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 15 2018

FOR THE NINTH CIRCUIT

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

JUAN LOPEZ NAPOLES, AKA Juan
Napoles,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 16-73887

Agency No. A070-146-317

MEMORANDUM*

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

Submitted June 12, 2018**

Before: RAWLINSON, CLIFTON, and NGUYEN, Circuit Judges.

Juan Lopez Napoles, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for withholding of removal and relief under the Convention Against Torture ("CAT"). We have jurisdiction

* 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).

under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings. *Ayala v. Holder*, 640 F.3d 1095, 1097 (9th Cir. 2011). We deny the petition for review.

Substantial evidence supports the agency's conclusion that Lopez Napoles did not establish the harm he experienced or fears was or will be on account of a protected ground. *See id.* at 1098 (quoting *Matter of C-A-*, 23 I. & N. Dec. 951, 958-59 (BIA 2006)) (“[I]f a former police officer [is] singled out for reprisal, not because of his status as a former police officer, but because of his role in disrupting particular criminal activity, he [is] not . . . considered, without more, to have been targeted as a member of a particular social group.”).

Substantial evidence also supports the agency's denial of CAT relief because Lopez Napoles failed to establish it is more likely than not he will be tortured with the consent or acquiescence of the government of Mexico. *See id.*

PETITION FOR REVIEW DENIED.