

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 11 2020

FOR THE NINTH CIRCUIT

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

GHULLAM REZA KHAVARI,

No. 17-70275

Petitioner,

Agency No. A208-592-505

v.

MEMORANDUM*

WILLIAM P. BARR, Attorney General,

Respondent.

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

Argued and Submitted January 24, 2020
Pasadena, California

Before: CLIFTON and LEE, Circuit Judges, and BLOCK, ** District Judge.

Ghullam Reza Khavari, a native and citizen of Afghanistan, petitions for review of the Board of Immigration Appeal's decision affirming the denial of his asylum and withholding of removal applications. We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition.

1. We review the denial of asylum for substantial evidence. *See Silva-*

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

** The Honorable Judge Frederic Block, United States District Judge for the Eastern District of New York, sitting by designation.

Pereira v. Lynch, 827 F.3d 1176, 1184 (9th Cir. 2016). We must affirm the BIA’s decision unless “the evidence not only *supports* a contrary conclusion, but *compels* it.” *Id.* (quoting *Huang v. Holder*, 744 F.3d 1149, 1152 (9th Cir. 2014)).

2. Substantial evidence supports the BIA’s decision to affirm the Immigration Judge’s adverse credibility determination. Khavari was non-responsive and inconsistent when testifying about his wife and her family’s attempts to receive documentation. Khavari also gave inconsistent testimony about the threat he received in Venezuela (*e.g.*, specifically whether he was paid and whether he knew the name of the person who threatened him). The record does not “*compel*” a finding that Khavari is eligible for relief. *See Silva-Pereira*, 827 F.3d at 1184.

3. Khavari also challenges the alternate country designations of Iran, Venezuela, and Canada for his removal. But Khavari designated Canada as an alternate country, and he did not object before the Immigration Judge to the Department of Homeland Security’s designations of Iran and Venezuela. Therefore, Khavari waived his challenge to the alternative country designations.

DENIED.