

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 8 2022

FOR THE NINTH CIRCUIT

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

VALERIO SALAZAR-BELTRAN,

No. 18-71577

Petitioner,

Agency No. A072-321-043

v.

MEMORANDUM*

MERRICK B. GARLAND, Attorney
General,

Respondent.

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

Submitted November 14, 2022**
Pasadena, California

Before: NGUYEN and FORREST, Circuit Judges, and FITZWATER,** District
Judge.

Valerio Salazar-Beltran petitions for review of a decision by the Board of
Immigration Appeals (“BIA”) affirming the immigration judge’s (“IJ”) order

* 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 Honorable Sidney A. Fitzwater, United States District Judge for
the Northern District of Texas, sitting by designation.

denying asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252.

Reviewing the agency’s factual findings for substantial evidence and any legal questions de novo, *see Flores Molina v. Garland*, 37 F.4th 626, 632 (9th Cir. 2022), we deny the petition for review.

1. Salazar does not challenge the agency’s conclusion that his asylum application was untimely. Therefore, he has forfeited any claim of error. *See Aguilar-Ramos v. Holder*, 594 F.3d 701, 703 n.1 (9th Cir. 2010).

2. Substantial evidence supports the agency’s finding that Salazar is ineligible for withholding of removal because he did not show a nexus between his feared persecution and his family members’ police service. *See INS v. Elias-Zacarias*, 502 U.S. 478, 483 (1992) (holding that withholding applicant “must provide *some* evidence of [his persecutors’ motives], direct or circumstantial”).

Salazar’s mother stated that the “entire family . . . has received death threats by criminal gangs” because Salazar’s father “placed a lot of criminals in prison” and that his father was shot “[i]n consequence to these actions and threats.” However, Salazar’s mother does not provide any details regarding his father’s police activities, the threats, or the shooting incident that would explain why she believes his father’s police service was a causal factor in the shooting. The record contains no evidence connecting Salazar’s father’s kidnapping with his father’s

police service. The other incidents of violence that Salazar identifies merely illustrate his fear of violence and kidnappings due to the dangerous conditions in Mexico. They bear “no nexus to a protected ground.” *Zetino v. Holder*, 622 F.3d 1007, 1016 (9th Cir. 2010).

3. Substantial evidence supports the agency’s finding that Salazar is ineligible for CAT protection. The agency properly found that Salazar failed to show he “would be recognized by his family’s . . . assailants after having departed Mexico over 30 years [earlier].” Salazar stated that the families of criminals his father arrested would recognize him because he “used to follow [his] father a lot when he worked,” but Salazar left Mexico at age 13, and there is no evidence of recent threats against him or his family.

The agency also properly found that Salazar “could . . . reasonably relocate [within Mexico] if necessary to avoid harm.” *See Dawson v. Garland*, 998 F.3d 876, 885 (9th Cir. 2021). Salazar’s father relocated to a nearby municipality upon retirement and “managed to stay safe” there for at least 18 years.

As for Salazar’s “generalized evidence of violence and crime in Mexico,” the agency properly found that it “is not particular to [him] and is insufficient to meet [the] standard” for CAT protection. *Delgado-Ortiz v. Holder*, 600 F.3d 1148, 1152 (9th Cir. 2010).

PETITION DENIED.