

MAY 13 2020

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JESUS LOPEZ-PAEZ,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>WILLIAM P. BARR, Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 18-72799

Agency No. A076-732-779

MEMORANDUM*

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

Submitted May 6, 2020**
Seattle, Washington

Before: KLEINFELD, W. FLETCHER, and RAWLINSON, Circuit Judges.

Jesus Lopez-Paez, a native and citizen of Mexico, petitions this Court for review of the Board of Immigration Appeals’ order affirming an immigration judge’s decision denying his request for relief under the Convention Against Torture. We have jurisdiction pursuant to 8 U.S.C. § 1252.

* 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).

We review the factual findings in this context for substantial evidence. *Singh v. Whitaker*, 914 F.3d 654, 658 (9th Cir. 2019). There was substantial evidence on the record taken as a whole to support the BIA's decision that Lopez-Paez was not entitled to Convention Against Torture relief. *See id.* at 663. The kidnapping by the Tijuana cartel occurred in 1988, over thirty years ago, when Lopez-Paez was twelve. There is little evidence in the record of continuing danger from the cartel. Nor is there evidence in the record that the Tijuana cartel controls other regions of Lopez-Paez's native country. The petitioner had the burden of proving that torture would be more likely than not if he returned, and he did not sustain it.

The petition for review is DENIED.