

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

NOV 21 2022

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

ALMA STEFANY CASTILLO,

Petitioner,

v.

MERRICK B. GARLAND, Attorney
General,

Respondent.

No. 20-70130

Agency No. A205-078-318

MEMORANDUM*

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

Submitted November 17, 2022**
San Jose, California

Before: SCHROEDER, GRABER, and FRIEDLAND, Circuit Judges.

Petitioner Alma Stefany Castillo, a native and citizen of El Salvador, timely petitions for review of the Board of Immigration Appeals' ("BIA") decision

* 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).

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

The BIA adopted and affirmed the Immigration Judge’s decision that had found Petitioner credible but concluded that she had not suffered harm amounting to past persecution in El Salvador and, further, that she had not shown that any past harm or threats of future harm were on account of a protected ground. Those findings are supported by substantial evidence. *See Nahrvani v. Gonzales*, 399 F.3d 1148, 1153-54 (9th Cir. 2005) (determining that the threats the petitioner received did not rise to the level of persecution where the petitioner suffered no physical harm and received vague, anonymous threats). At most the evidence established Petitioner’s fear of gang violence, which we have held does not relate to or constitute a protected ground. *See Flores-Vega v. Barr*, 932 F.3d 878, 887 (9th Cir. 2019); *Zetino v. Holder*, 622 F.3d 1007, 1015-16 (9th Cir. 2010).

Substantial evidence also supports the denial of protection under CAT. Although we recognize the level of violence that exists in El Salvador, the record does not compel the conclusion that Petitioner would be targeted for torture if returned to El Salvador. *See Santos-Ponce v. Wilkinson*, 987 F.3d 886, 891 (9th Cir. 2021).

Petitioner’s Motion to Remand, Docket No. 46, is denied.

PETITION DENIED.