

DEC 26 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ZARUHI GHARAGYOZYAN,</p> <p>Petitioner,</p> <p>v.</p> <p>MICHAEL B. MUKASEY, Attorney General,</p> <p>Respondent.</p>
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No. 06-74613

Agency No. A095-640-445

MEMORANDUM*

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

Submitted December 17, 2008**

Before: GOODWIN, WALLACE and TROTT, Circuit Judges.

Zaruhi Gharagyozyan, a native and citizen of Armenia, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing her appeal from an immigration judge’s (“IJ”) decision denying her application for asylum. We have

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Li v. Ashcroft*, 378 F.3d 959, 962 (9th Cir. 2004) and we deny the petition for review.

The BIA upheld the IJ's adverse credibility based upon discrepancies between Gharagyozyan's airport interview and her subsequent testimony regarding the reason she fled Armenia and her subjective fear of persecution. While statements given during airport interviews are not always valuable impeachment sources, *see Singh v. INS*, 292 F.3d 1017, 1021-24 (9th Cir. 2002), Gharagyozyan had an Armenian interpreter and the record contains sufficient information about the circumstances under which the interview was conducted to ensure the accuracy and completeness of Gharagyozyan's statement. *See Li*, 378 F.3d at 962-63. Accordingly, the BIA could rely on the sworn interview statement as an impeachment source. *See id.* at 963. Because the inconsistencies regarding her subjective fear and her flight from Armenia go to the heart of Gharagyozyan's claim, substantial evidence supports the adverse credibility finding. *See Chebchoub v. INS*, 257 F.3d 1038, 1043 (9th Cir. 2001).

PETITION FOR REVIEW DENIED.