

APR 27 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RONNY KURNIAWAN JOSO;  
LILIAWATI ANTAREDJO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 05-74770

Agency No. A096-051-807  
A096-051-808

MEMORANDUM\*

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

Submitted April 13, 2009\*\*

Before: GRABER, GOULD, and BEA, Circuit Judges.

Ronny Kurniawan Joso and his wife, natives and citizens of Indonesia,  
petition for review of the Board of Immigration Appeals' order dismissing their  
appeal from an immigration judge's decision denying their application for asylum,

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\* 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).

withholding of removal, and protection under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Kaur v. Ashcroft*, 379 F.3d 876, 884 (9th Cir. 2004), and we deny the petition for review.

The record does not compel the conclusion that changed or extraordinary circumstances excused the untimely filing of Joso’s asylum application. *See* 8 C.F.R. § 1208.4(a)(4), (5); *Ramadan v. Gonzales*, 479 F.3d 646, 656-58 (9th Cir. 2007) (per curiam). Accordingly, Joso’s asylum claim fails.

Substantial evidence supports the agency’s adverse credibility determination because the inconsistency between Joso’s testimony and the medical report concerning the injuries he suffered in May of 1998 and the inconsistency between Joso’s testimony and the police report concerning the date of the attack on his shop go to the heart of his claim. *See Goel v. Gonzales*, 490 F.3d 735, 739 (9th Cir. 2007) (per curiam) (inconsistencies between testimony and documentary evidence support an adverse credibility finding where inconsistencies go to the heart of the claim). Accordingly, Joso’s withholding of removal claim fails.

Joso does not raise any substantive arguments in his opening brief regarding the agency’s denial of CAT relief. *See Martinez-Serrano v. INS*, 94 F.3d 1256,

1259-60 (9th Cir.1996) (“Issues raised in a brief that are not supported by argument are deemed abandoned.”).

**PETITION FOR REVIEW DENIED.**