

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUN 25 2009

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

MOHAMMAD OMAIR QAZI,  
  
Petitioner,  
  
v.  
  
ERIC H. HOLDER, Jr., Attorney General,  
  
Respondent.

No. 04-76055

Agency No. A070-959-532

MEMORANDUM\*

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

Submitted June 16, 2009\*\*

Before: PAEZ, TALLMAN, and N.R. SMITH, Circuit Judges.

Mohammad Omair Qazi, a native of Saudi Arabia and citizen of Pakistan, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for

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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).

asylum, withholding of deportation, and relief under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Nagoulko v. INS*, 333 F.3d 1012, 1015 (9th Cir. 2003), and we deny the petition for review.

Qazi does not challenge the IJ’s finding regarding past persecution.

Substantial evidence supports the IJ’s conclusion that Qazi has not demonstrated a well-founded fear of future persecution. *See id.* at 1018; *see also Gomes v. Gonzales*, 429 F.3d 1264, 1267 (9th Cir. 2005) (fear of persecution undermined by current country conditions, *inter alia*).

By failing to qualify for asylum, Qazi necessarily fails to satisfy the more stringent standard for withholding of deportation. *See Molina-Morales v. INS*, 237 F.3d 1048, 1051 (9th Cir. 2001).

Substantial evidence also supports the IJ’s denial of CAT relief because Qazi failed to establish that it is more likely than not he will be tortured if he returns to Pakistan. *See Singh v. Ashcroft*, 351 F.3d 435, 443 (9th Cir. 2003).

**PETITION FOR REVIEW DENIED.**