

JUN 25 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

YAQIN HOU,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 06-73591

Agency No. A097-869-212

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.

Yaqin Hou, a native and citizen of China, 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 and withholding of

* 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).

removal. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Chebchoub v. INS*, 257 F.3d 1038, 1042 (9th Cir. 2001), and we deny the petition for review.

The agency found Hou's asylum application time-barred. She does not challenge that finding in her opening brief. Accordingly, we deny the petition as to asylum.

Substantial evidence supports the agency's adverse credibility finding due to material inconsistencies between Hou's testimony and her supporting documents regarding her church attendance, the delay in applying for asylum, and her fear of authorities. *See Gui v. INS*, 280 F.3d 1217, 1225 (9th Cir. 2002); *Chebchoub v. INS*, 257 F.3d 1038, 1043 (9th Cir. 2001). Accordingly, we deny the petition as to withholding of removal. *See Farah v Gonzales*, 348 F.3d 1153, 1156-57 (9th Cir. 2003).

Hou's motion to stay proceedings is denied.

PETITION FOR REVIEW DENIED.