

JUN 29 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SHAKIL AHEMAD M. KADRI,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 06-74276

Agency No. A073-425-323

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.

Shakil Ahemad M. Kadri, a native and citizen of India, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for protection under the

* 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).

Convention Against Torture. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Singh v. Gonzales*, 439 F.3d 1110, 1113 (9th Cir. 2006), and we deny the petition for review.

Substantial evidence supports the agency's conclusion that even if Kadri is a Muslim, he failed to show it is more likely than not he would be tortured in India based on the objective evidence in the record, *see id.*; 8 C.F.R. § 208.16(c)(2), and he failed to show he would be unable to relocate safely within India, *see Hasan v. Ashcroft*, 380 F.3d 1114, 1123 (9th Cir. 2004).

PETITION FOR REVIEW DENIED.