FILED

JUL 22 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HABEBA FARAJ SHOU; et al.,	No. 06-73879
Petitioners,	Agency Nos. A078-542-170 A078-542-171 A078-542-172 A078-542-173
v.	
ERIC H. HOLDER, Jr., Attorney General,	
Respondent.	MEMORANDUM *

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

Submitted July 14, 2009**

Before: SCHROEDER, THOMAS, and WARDLAW, Circuit Judges.

Habeba Faraj Shou and her three minor children, natives and citizens of Iraq, petition for review of the Board of Immigration Appeals' order dismissing their

---

* 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).

JT/Research

appeal from an immigration judge's ("IJ") decision denying their application for asylum. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's denial of asylum, *Prasad v. INS*, 47 F.3d 336, 339-40 (9th Cir. 1995), and review for abuse of discretion the agency's denial of humanitarian asylum, *Belayneh v. INS*, 213 F.3d 488, 491 (9th Cir. 2000). We deny the petition for review.

Substantial evidence supports the agency's determination that petitioners failed to establish past persecution or a well-founded fear of future persecution by Muslims on account of their Chaldean Christian religion because the record does not compel the conclusion that Shou's father-in-law was killed on account of his religion, and the generalized country conditions information they submitted is insufficient. *See Prasad*, 47 F.3d at 340 (holding generalized country condition information and harm to family members unconnected to petitioner insufficient to establish a well-founded fear of future persecution).

Additionally, the IJ did not abuse his discretion in denying petitioners a humanitarian grant of asylum on the basis of the 1991 incident in which Shou was assaulted by Ba'athists. *See Marcu v. INS*, 147 F.3d 1078, 1082-83 (9th Cir. 1998) (In denying a claim for humanitarian asylum the agency need only set out "terms

sufficient to enable [the court] ...to see that the [it] has heard, considered, and decided.") (internal quotations and citations omitted).

PETITION FOR REVIEW DENIED.