

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 14 2009

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

BAOCHANG ZHOU,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 06-73169

Agency No. A096-067-332

MEMORANDUM*

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

Submitted August 11, 2009**

Before: KLEINFELD, M. SMITH, and IKUTA, Circuit Judges.

Baochang Zhou, a native and citizen of China, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") decision denying his 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 factual findings, *Singh-Kaur v. INS*, 183 F.3d 1147, 1149-50 (9th Cir. 1999), and we deny the petition for review.

Substantial evidence supports the IJ's adverse credibility finding because Zhou's testimony evidenced a lack of knowledge regarding Falun Gong, *see Singh v. Ashcroft*, 367 F.3d 1139, 1143 (9th Cir. 2004), and was vague and lacked specificity as to the benefits and theories of Falun Gong, *see Singh-Kaur*, 183 F.3d at 1153. Zhou's voluntary return to China also supports the IJ's adverse credibility finding. *See Loho v. Mukasey*, 531 F.3d 1016, 1018-19 (9th Cir. 2008). Lastly, substantial evidence supports the IJ's finding that it was improbable the police would visit Zhou on his return to China without arresting him. *See Don v. Gonzales*, 476 F.3d 738, 743 (9th Cir. 2007). In the absence of credible testimony, Zhou's asylum and withholding of removal claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

PETITION FOR REVIEW DENIED.