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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MUHAMMAD HASHMI; NOUREEN  
HASHMI,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 06-71834

Agency Nos. A077-305-051  
A070-223-963

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.

Muhammad Hashmi and Noreen Hashmi, natives and citizens of Pakistan,  
petition for review of the Board of Immigration Appeals' order upholding an

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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).

immigration judge's decision denying their applications for asylum, withholding of removal, relief under the Convention Against Torture ("CAT"), and cancellation of removal. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for substantial evidence and will uphold the agency's decision unless the evidence compels a contrary conclusion. *INS v. Elias-Zacarias*, 502 U.S. 478, 481, 483-84 (1992). We deny in part and dismiss in part the petition for review.

Substantial evidence supports the agency's conclusion that the police abuse Hashmi suffered was not on account of his political opinion, *see Dinu v. Ashcroft*, 372 F.3d 1041, 1044 (9th Cir. 2004), and that he failed to establish a well-founded fear of future persecution on account of his political opinion or any other protected ground, *see id.* at 1044-45.

Because Hashmi did not establish eligibility for asylum, it follows that he did not satisfy the more stringent standard for withholding of removal. *See id.* at 1045.

Hashmi also failed to establish eligibility for CAT relief because he did not show it was more likely than not that he would be tortured by authorities if he returned to Pakistan. *See Singh v. Ashcroft*, 351 F.3d 435, 443 (9th Cir. 2003).

We lack jurisdiction to review the agency's discretionary determination that

Hashmi failed to show exceptional and extremely unusual hardship to a qualifying relative. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

**PETITION FOR REVIEW DENIED in part, DISMISSED in part.**