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U.S. COURT OF APPEALS

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RAJESH KUMAR, Petitioner, v. ERIC H. HOLDER Jr., Attorney General, Respondent.	No. 08-73762 Agency No. A098-847-981 MEMORANDUM[*]

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

Submitted October 14, 2009[**]
Seattle, Washington

Before: RAWLINSON and CALLAHAN, Circuit Judges, and CUDAHY[***], Senior Circuit Judge.

Rajesh Kumar (Kumar) petitions for review of a Board of Immigration Appeals' (BIA) decision affirming the immigration judge's (IJ) denial of his

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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).

[***] The Honorable Richard D. Cudahy, Senior United States Circuit Judge for the Seventh Circuit, sitting by designation.

requests for asylum, withholding of removal, and relief pursuant to the Convention Against Torture premised on the IJ's finding that Kumar was not credible.

Based on the inconsistencies between Kumar's asylum application and his testimony, Kumar's failure to provide corroborating evidence, and the inherent implausibility of his testimony, there was substantial evidence supporting the adverse credibility determination. *See Malkandi v. Holder*, 576 F.3d 906, 917-18 (9th Cir. 2009), *as amended*; *see also Husyev v. Mukasey*, 528 F.3d 1172, 1183 (9th Cir. 2008); *Sidhu v. I.N.S.*, 220 F.3d 1085, 1092 (9th Cir. 2000), *as amended* ("[W]here the IJ has reason to question the applicant's credibility, and the applicant fails to produce non-duplicative, material, easily available corroborating evidence and provides no credible explanation for such failure, an adverse credibility finding will withstand appellate review.").

Kumar, therefore, is not eligible for asylum, withholding of removal, or relief pursuant to the Convention Against Torture. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156-57 (9th Cir. 2003).[1]

Petition DENIED.

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[1] Because the BIA did not adopt the IJ's internal relocation analysis, it is not subject to review by this court. *See Kyung Park v. Holder*, 572 F.3d 619, 622 (9th Cir. 2009) ("[T]he court's review is limited to the BIA's decision, except to the extent that the IJ's opinion is expressly adopted.") (citation and internal quotation marks omitted).