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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MANJIT KAUR SIDHU,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 06-74130

Agency No. A075-259-987

MEMORANDUM*

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

Submitted November 17, 2009**

Before: ALARCÓN, TROTT, and TASHIMA, Circuit Judges.

Manjit Kaur Sidhu, a native and citizen of India, petitions for review of the Board of Immigration Appeals’ order dismissing her appeal from an immigration judge’s (“IJ”) decision denying her application for asylum, 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).

deportation, and protection under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Don v. Gonzales*, 476 F.3d 738, 741 (9th Cir. 2007), and we deny the petition for review.

Substantial evidence supports the IJ’s adverse credibility determination because Sidhu admitted she lied concerning the identification of her husband, and this admission goes to the heart of her claim. *See id.* at 741-44. In the absence of credible testimony, Sidhu’s asylum and withholding of deportation claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Because Sidhu’s CAT claim is based on the testimony the IJ found not credible, and Sidhu points to no other evidence to show it is more likely than not she would be tortured if returned to India, her CAT claim fails. *See id.* at 1156-57.

PETITION FOR REVIEW DENIED.