

DEC 14 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>AIDA AVETISYAN,</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>

No. 05-76385

Agency No. A096-190-499

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.

Aida Avetisyan, a native of the former Soviet Union and citizen of Armenia,
petitions for review of the Board of Immigration Appeals’ order summarily
affirming an immigration judge’s (“IJ”) decision denying her application for

* 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).

asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Molina-Morales v. INS*, 237 F.3d 1048, 1050 (9th Cir. 2001), and we deny the petition for review.

Substantial evidence supports the IJ's finding that even if Avetisyan were credible, she failed to establish past persecution because she did not demonstrate that the sexual harassment and assaults she experienced were on account of a protected ground, *see id.* at 1051-52, and she did not meet her burden of demonstrating a well-founded fear of future persecution on account of a protected ground if returned to Armenia, *see Fisher v. INS*, 79 F.3d 955, 962-63 (9th Cir. 1996) (en banc).

Because Avetisyan failed to establish asylum eligibility, it necessarily follows that she did not meet the more stringent standard for withholding of removal. *See id.* at 965.

PETITION FOR REVIEW DENIED.