

DEC 23 2009

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

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

AKHLAS NAIM GEORGE,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 06-71167

Agency No. A078-759-515

MEMORANDUM*

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

Submitted December 15, 2009**

Before: GOODWIN, WALLACE, and FISHER, Circuit Judges.

Akhlash Naim George, a native and citizen of Iraq, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

judge's ("IJ") decision denying her application for asylum, withholding of removal, and relief under the Convention Against Torture ("CAT"). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence an IJ's adverse credibility finding. *Don v. Gonzales*, 476 F.3d 738, 741 (9th Cir. 2007). We deny the petition for review.

Substantial evidence supports the IJ's adverse credibility determination because the contradictory accounts of the mistreatment George suffered, coupled with the differing accounts of her detentions and interrogations are material discrepancies that go to the heart of her asylum claim. *See Li v. Ashcroft*, 378 F.3d 959, 962 (9th Cir. 2004). In the absence of credible testimony, George's asylum and withholding of removal claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Because George's CAT claim is based on the testimony the agency found not credible, and she points to no evidence showing it is more likely than not she will be tortured in Iraq, her CAT claim also fails. *Id.* at 1156-57.

PETITION FOR REVIEW DENIED.