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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>TANIA YADIRA HERNANDEZ- BARAHONA; et al.,</p> <p style="text-align: center;">Petitioners,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>
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No. 07-72648

Agency Nos. A098-115-865
A098-115-866
A098-115-867

MEMORANDUM *

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

Submitted January 11, 2010**

Before: BEEZER, TROTT, and BYBEE, Circuit Judges.

Tania Yadira Hernandez-Barahona, and her two minor children, all natives and citizens of Honduras, petition pro se for review of the Board of Immigration Appeals (“BIA”) order dismissing their appeal from an immigration judge’s

* 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).

decision denying their application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review factual findings for substantial evidence, *INS v. Elias Zacarias*, 502 U.S. 478, 481 n.1 (1992) and we deny the petition for review.

Substantial evidence supports the BIA's denial of petitioners' asylum and withholding of removal claims, because petitioners' fear of gangs was insufficient to establish that they were or would be persecuted on account of a protected ground. *See Ochoa v. Gonzales*, 406 F.3d 1166, 1170-72 (9th Cir. 2005) (affirming BIA's denial of asylum and withholding of removal where petitioners failed to establish their persecution was on account of social group or imputed political opinion).

PETITION FOR REVIEW DENIED.