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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROXANA MARIBEL NOLASCO-  
ALVAREZ,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 08-74114

Agency No. A098-559-156

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.

Roxana Maribel Nolasco-Alvarez, a native and citizen of El Salvador,  
petitions for review from the Board of Immigration Appeals dismissal of her

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

appeal from the immigration judge's denial of her applications for withholding of removal and relief under the Convention Against Torture ("CAT"). The BIA noted that petitioner was not eligible for asylum based on her failure to file a timely asylum application. The BIA denied petitioner's applications for withholding of removal and CAT based on her failure to establish persecution or the likelihood of torture in El Salvador.

Petitioner contends that the BIA erred by denying her application for asylum based on her failure to establish past persecution or a well-founded fear of future persecution. Petitioner alleged fear of gang activity in El Salvador.

Petitioner does not challenge the BIA's holding that she had failed to file a timely asylum application, or that an exception to the timeliness requirement applied, and therefore petitioner has waived any arguments concerning whether she merited asylum relief. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259 (9th Cir. 1996) (issues not specifically raised and argued in a party's opening brief are waived). Petitioner raises no issues before this court concerning the BIA's denial of her applications for withholding of removal or relief under the Convention Against Torture. Petitioner, therefore, fails to raise any issues properly before this court.

**PETITION FOR REVIEW DENIED.**