

JAN 20 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RAUL ANTONIO GAMEZ-GUILLEN,  
a.k.a. Raul Antonio Gamez Gutierrez,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-73071

Agency No. A098-717-948

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.

Raul Antonio Gamez-Guillen, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for asylum,

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

withholding of removal, and relief under the Convention Against Torture (“CAT”). Our jurisdiction is governed by 8 U.S.C. § 1252. The court reviews de novo questions of law, *Cerezo v. Mukasey*, 512 F.3d 1163, 1166 (9th Cir. 2008), except to the extent that deference is owed to the BIA’s determination of the governing statutes and regulations, *Simeonov v. Ashcroft*, 371 F.3d 532, 535 (9th Cir. 2004). We review factual findings for substantial evidence. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). We deny in part and dismiss in part the petition for review.

We reject Gamez-Guillen’s claim that he is eligible for asylum and withholding of removal based on his membership in a particular social group, namely, persons who are targeted as informants against gangs. *See Soriano v. Holder*, 569 F.3d 1162, 1166 (9th Cir. 2009) (rejecting as particular social group “government informants”). Accordingly, because Gamez-Guillen failed to demonstrate he fears persecution on account of a protected ground, his asylum and withholding of removal claims fail. *See id.* at 1166-67.

Gamez-Guillen’s contention that the agency denied his CAT claim based on the wrong standard of proof is not supported by the record.

We lack jurisdiction to review Gamez-Guillen’s due process contentions because he did not exhaust these claims before the BIA. *See Barron v. Ashcroft*,

358 F.3d 674, 678 (9th Cir. 2004). We also dismiss the petition for review as to Gamez-Guillen's application for Temporary Protected Status because he failed to raise any challenge to the denial of his application to the BIA. *See id.*

**PETITION FOR REVIEW DENIED in part; DISMISSED in part.**