

JAN 21 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>HENRY ROCHMANA HADI; NANA NERDEANNA,</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>

No. 06-70304

Agency Nos. A096-364-529
A096-364-528

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.

Henry Rochmana Hadi and his wife Nana Nerdeanna, natives and citizens of Indonesia, petition for review of a Board of Immigration Appeals' order dismissing their appeal from an immigration judge's decision denying their 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 concludes this case is 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 factual findings to be certain they are supported by substantial evidence. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). We deny the petition for review.

The agency denied petitioners' asylum claim as time-barred. Petitioners do not challenge this finding in their opening brief.

Substantial evidence supports the agency's denial of withholding of removal because petitioners did not produce "credible, direct, and specific evidence" that they will be persecuted because of the years they lived in the United States, or that they or their daughter will be persecuted because their daughter is an American citizen. *See Ghaly v. INS*, 58 F.3d 1425, 1428 (9th Cir. 1995); *see also Nagoulko v. INS*, 333 F.3d 1012, 1018 (9th Cir. 2003) (denying claim where fear of future persecution is too speculative).

We decline to take judicial notice of the 2003 and 2005 U.S. State Department Travel Warnings. *See Fisher v. INS*, 79 F.3d 955, 963 (9th Cir. 1996) (en banc).

PETITION FOR REVIEW DENIED.