

APR 20 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WEIGANG ZHANG,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-71339

Agency No. A078-333-527

MEMORANDUM*

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

Submitted April 5, 2010**

Before: RYMER, McKEOWN, and PAEZ, Circuit Judges.

Weigang Zhang, a native and citizen of China, petitions pro se for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s decision denying his application for withholding of removal and relief under the Convention Against Torture (“CAT”). We have jurisdiction

* 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).

under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings. *Cruz-Navarro v. INS*, 232 F.3d 1024, 1028 (9th Cir. 2000). We deny the petition for review.

Substantial evidence supports the agency's finding that, even if credible, Zhang failed to establish the harm he suffered during his one detention rose to the level of past persecution. *See Gu v. Gonzales*, 454 F.3d 1014, 1020-21 (9th Cir. 2006). In addition, the record in this case does not compel the conclusion that it is more likely than not that the government will single him out for persecution if he returns to China, *see Hoxha v. Ashcroft*, 319 F.3d 1179, 1185 (9th Cir. 2003), nor does the record compel the conclusion that Zhang established a pattern or practice of persecution of people with imputed political opinions, *see Wakkary v. Holder*, 558 F.3d 1049, 1060-62 (9th Cir. 2009). Accordingly, Zhang's withholding of removal claim fails.

Zhang waived any challenge to the agency's denial of CAT relief because he did not address the issue in his brief. *See Husyev v. Mukasey*, 528 F.3d 1172, 1183 (9th Cir. 2008).

PETITION FOR REVIEW DENIED.