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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SVETA ARUTUNYAN,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-73348

Agency No. A098-144-320

MEMORANDUM*

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

Submitted May 25, 2010**

Before: CANBY, THOMAS, and W. FLETCHER, Circuit Judges.

Sveta Arutunyan, a native and citizen of Armenia, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's decision denying her application for asylum. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence an adverse credibility

* 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).

determination, *Sidhu v. INS*, 220 F.3d 1085, 1088 (9th Cir. 2000), and we deny the petition for review.

Substantial evidence supports the agency's adverse credibility determination based upon Arutunyan's submission of a fraudulent birth certificate, *see Desta v. Ashcroft*, 365 F.3d 741, 745 (9th Cir. 2004) (fraudulent documents going to the heart of the claim may justify an adverse credibility finding), the omission from Arutunyan's testimony of election activities that according to her asylum application led her 2003 beating and detention, *see Li v. Ashcroft*, 378 F.3d 959, 962 (9th Cir. 2004), and Arutunyan's misidentification of her party's candidate during the 2003 elections, *see id.* In the absence of credible testimony, Arutunyan's asylum claim fails. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

PETITION FOR REVIEW DENIED.