

JUN 28 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SANDHIR KAUR,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-71334

Agency No. A077-810-526

MEMORANDUM\*

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

Argued and Submitted June 16, 2010  
San Francisco, California

Before: SCHROEDER and BYBEE, Circuit Judges, and STOTLER, Senior  
District Judge.\*\*

Sandhir Kaur is a Sikh native and citizen of India petitioning for review of a  
decision of the Board of Immigration Appeals (“BIA”) affirming the Immigration

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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 Honorable Alicemarie H. Stotler, Senior United States District  
Judge for the Central District of California, sitting by designation.

Judge's ("IJ") denial of her applications for asylum, withholding of removal, and protection under the Convention Against Torture ("CAT").

Kaur principally contends that substantial evidence does not support the IJ's adverse credibility finding, arguing that there are no inconsistencies or discrepancies going to the heart of her claim. Both the BIA and the IJ alternatively concluded, however, that even if Kaur's testimony was credible, there had been significant changes in country conditions that would enable her to return to India without the likelihood of persecution or torture. *See* 8 C.F.R.

§§ 1208.13(b)(1)(i)(A), 1208.16(b)(1)(i)(A), and 1208.16(c)(2). That finding is supported by substantial evidence, because this record does not compel a contrary result. *See Zehatye v. Gonzales*, 453 F.3d 1182, 1185 (9th Cir. 2006). Kaur cites only an inconclusive sentence from the Department of State Country Report included in the record, and otherwise improperly relies on general statements in a later Country Report not included in the record. *See* 8 U.S.C. § 1252(b)(4)(A) ("[T]he court of appeals shall decide the petition only on the administrative record on which the order of removal is based.").

Accordingly, the petition for review must be denied.

**DENIED.**