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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>NARINDER SINGH BHULLAR,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 07-73079

Agency No. A079-289-750

MEMORANDUM*

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

Submitted June 29, 2010**

Before: ALARCÓN, LEAVY, and GRABER, Circuit Judges.

Narinder Singh Bhullar, a native and citizen of India, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s decision denying his application for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). We have

* 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).

jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Husyev v. Mukasey*, 528 F.3d 1172, 1177 (9th Cir. 2008), and we deny the petition.

Substantial evidence supports the agency's adverse credibility determination based on the implausibility of Bhullar's documents being prepared originally in English, and of his hiding disguised as a Hindu monk although he was fluent in Punjabi and spoke only a little Hindi. *See Don v. Gonzales*, 476 F.3d 738, 743 (9th Cir. 2007). In the absence of credible testimony, Bhullar's asylum and withholding of removal claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Because Bhullar's CAT claim is based on the same statements found to be not credible, and he does not point to any other evidence in the record that compels the conclusion that it is more likely than not that he would be tortured if returned to India, substantial evidence supports the agency's denial of CAT. *See id.* at 1156-57.

PETITION FOR REVIEW DENIED.