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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CHODHA SINGH,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 07-73848

Agency No. A077-844-388

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.

Chodha Singh, 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 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 factual findings, *Pedro-Mateo v. INS*, 224 F.3d 1147, 1150 (9th Cir. 2000), and we deny the petition for review.

The evidence does not compel the conclusion that Singh established changed or extraordinary circumstances to excuse his untimely asylum application. *See* 8 C.F.R. § 1208.4(a)(4), (5). Accordingly, Singh's asylum claim fails.

Substantial evidence supports the agency's finding that changed country conditions in India rebut Singh's presumption of a clear probability of persecution. *See* 8 C.F.R. § 1208.16(b)(1)(i)(A); *Sowe v. Mukasey*, 538 F.3d 1281, 1285-86, 1288 (9th Cir. 2008) (changed country conditions finding supported by individualized analysis based on country reports). Accordingly, Singh's withholding of removal claim fails.

Finally, substantial evidence supports the agency's denial of CAT relief based on changed country conditions. *See Sowe*, 538 F.3d at 1288-89.

PETITION FOR REVIEW DENIED.