

JUL 29 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>NORMA LOBOS,</p> <p style="text-align: center;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 08-73283

Agency No. A098-723-405

MEMORANDUM*

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

Submitted July 19, 2010**

Before: B. FLETCHER, REINHARDT, and WARDLAW, Circuit Judges.

Norma Lobos, a native and citizen of El Salvador, petitions for review of the decision of the Board of Immigration Appeals (“BIA”) order dismissing her appeal from an immigration judge’s denial of her applications for asylum, withholding of removal and relief 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 factual findings. *See Santos-Lemus v. Mukasey*, 542 F.3d 738, 742 (9th Cir. 2008). We deny the petition.

Lobos does not raise any challenge to the BIA's determination that her asylum application is time-barred. Accordingly, we deny the petition for review as to Lobos's asylum claim.

Substantial evidence supports the BIA's finding that Lobos did not demonstrate a clear probability of persecution because Lobos has not shown that the harm her family suffered was on account of a protected ground. *See INS v. Elias-Zacarias*, 502 U.S. 478, 481-82 (1992). Accordingly, we deny the petition as to her withholding of removal claim. *See id.* at 744.

Substantial evidence also supports the agency's conclusion that Lobos is not eligible for CAT relief because she failed to show it is more likely than not she would be tortured in El Salvador. *See id.* at 747-48.

PETITION FOR REVIEW DENIED.