

SEP 21 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN FRANCISCO CHAVEZ-  
CALDERON,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-72374

Agency No. A098-986-260

MEMORANDUM\*

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

Submitted September 13, 2010 \*\*

Before: SILVERMAN, CALLAHAN, and N.R. SMITH, Circuit Judges.

Juan Francisco Chavez-Calderon, a native and citizen of El Salvador,  
petitions pro se for review of the decision of the Board of Immigration Appeals

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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 panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

dismissing his appeal from the immigration judge's denial of his application for asylum.

We reject Chavez-Calderon's claim that he is eligible for asylum based on his contentions that his refusal to join gangs constituted a political opinion, and that he is a member of a social group consisting of persons who will be persecuted and intimidated by gangs which the government of El Salvador is unable to control. *See Barrios v. Holder*, 581 F.3d 849, 854-56 (9th Cir. 2009) (refusal to join a gang does not amount to political opinion); *Santos-Lemus v. Mukasey*, 542 F.3d 738, 745-46 (9th Cir. 2008) (rejecting as a particular social group "young men in El Salvador resisting gang violence.")

Because Chavez-Calderon failed to demonstrate that he was persecuted on account of a protected ground, we deny the petition for review.

**PETITION FOR REVIEW DENIED.**