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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JOSE LUCIO BARILLAS, aka Jose Lucio Barillas Portillo,</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. 09-72528

Agency No. A072-438-417

MEMORANDUM*

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

Submitted October 19, 2010**
San Francisco, California

Before: O’SCANNLAIN, TALLMAN, and BEA, Circuit Judges.

Jose Lucio Barillas, a native and citizen of El Salvador, petitions pro se for review of the decision of the Board of Immigration Appeals which dismissed his appeal from the immigration judge’s denial of his applications for asylum,

* 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).

withholding of removal, relief under the Convention Against Torture, and cancellation of removal.

We reject Lucio Barillas' claim that he is eligible for asylum based on his membership in a particular social group, namely persons who suffer persecution due to the El Salvador government's inability to control gangs. *See Santos-Lemus v. Mukasey*, 542 F.3d 738, 745-46 (9th Cir. 2008) (rejecting as a social group "young men in El Salvador resisting gang violence"). We also reject Lucio Barillas' asylum political opinion claim based on his resistance to the gangs. *See INS v. Elias-Zacarias*, 502 U.S. 478, 482-84 (1992); *Barrios v. Holder*, 581 F.3d 849, 854-56 (9th Cir. 2009). Because Lucio Barillas failed to demonstrate that he was persecuted on account of a protected ground, we uphold the agency's denial of his asylum and withholding of removal claims. *Id.* at 856.

Lucio Barillas also claims that the IJ failed to provide him with a full and fair hearing of his claims by denying him the right to continue his testimony and present his case. The record, however, does not support petitioner's claim. *See Cinapian v. Holder*, 567 F.3d 1067, 1073 (9th Cir. 2009).

PETITION FOR REVIEW DENIED.