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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MARIA SOCORRO GONZALEZ
CASTRO et al.,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 06-75265

Agency Nos. A078-111-832
 A075-710-508
 A075-710-509
 A075-710-510
 A075-710-511

MEMORANDUM*

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

Submitted October 19, 2010**

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

Maria Socorro Gonzalez Castro and her children, natives and citizens of Mexico, petition for review of the Board of Immigration Appeals’ order dismissing their appeal from an immigration judge’s decision denying their application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252.

* 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).

We review for substantial evidence factual findings. *INS v. Elias-Zacarias*, 502 U.S. 478, 481 n.1 (1992). We grant the petition for review and remand.

The record compels the conclusion Gonzalez Castro suffered past persecution based on the threats made toward her, the stabbing of her client which the assailant directed at Gonzalez Castro by leaving her business card, and the subsequent phone call warning her that she and her children would be next. *See Salazar-Paucar v. INS*, 281 F.3d 1069, 1074-75 (9th Cir. 2002).

Because Gonzalez Castro established past persecution, she is entitled to a presumption that she has a well-founded fear of future persecution. *See Ahmed v. Keisler*, 504 F.3d 1183, 1197 (9th Cir. 2007). We remand for the agency to decide in the first instance whether the government has met its burden to rebut this presumption. *See INS v. Ventura*, 537 U.S. 12, 16-18 (2002) (per curiam).

PETITION FOR REVIEW GRANTED. REMANDED.