

DEC 27 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JIYONG ZHENG,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 07-72546

Agency No. A076-862-016

MEMORANDUM*

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

Submitted December 14, 2010**

Before: GOODWIN, WALLACE, and W. FLETCHER, Circuit Judges.

Jiyong Zheng, a native and citizen of China, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. "This court reviews factual

* 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).

determinations, including credibility determinations, for substantial evidence.”

Morgan v. Mukasey, 529 F.3d 1202, 1206 (9th Cir. 2008). We deny the petition for review.

There were discrepancies between Zheng’s asylum application and his testimony concerning the circumstances of his mother’s death. *See Li v. Ashcroft*, 378 F.3d 959, 964 (9th Cir. 2004). There were further discrepancies between Zheng’s asylum application, his testimony, and his father’s asylum application concerning his father’s imprisonment and his mother’s death following their participation in a political demonstration. *See Pal v. INS*, 204 F.3d 935, 938 (9th Cir. 2000). Substantial evidence supports the IJ’s adverse credibility determination because these discrepancies go to the heart of Zheng’s claim, and the IJ reasonably found Zheng’s explanations for the discrepancies unconvincing. *See Rivera v. Mukasey*, 508 F.3d 1271, 1275 (9th Cir. 2007). Accordingly, in the absence of credible testimony, Zheng’s claims for asylum and withholding of removal fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156–57 (9th Cir. 2003).

PETITION FOR REVIEW DENIED.