NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LUIS ERWIN HUERTAS,	No. 07-73254
Petitioner,	Agency No. A073-170-852
v.	
ERIC H. HOLDER, Jr., Attorney General,	MEMORANDUM[*]
Respondent.	

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

Submitted January 10, 2011[**]

Before: BEEZER, TALLMAN, and CALLAHAN, Circuit Judges.

Luis Erwin Huertas, a native and citizen of Peru, petitions for review of the

Board of Immigration Appeals' order dismissing his appeal from an immigration

judge's decision denying his application for asylum and withholding of removal.

We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence,

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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).

Zehatye v. Gonzales, 453 F.3d 1182, 1184-85 (9th Cir. 2006), and we deny the petition for review.

Substantial evidence supports the agency's determination that Huertas did not establish past persecution based on the threats to the organization where he worked, and the incident when unidentified armed men stopped him in his car. *See Lim v. INS*, 224 F.3d 929, 936-37 (9th Cir. 2000).

Substantial evidence also supports the agency's determination that Huertas failed to demonstrate a well-founded fear of future persecution because it is too speculative he will be persecuted in Peru on account of a protected ground. *See Nagoulko v. INS*, 333 F.3d 1012, 1018 (9th Cir. 2003) (record evidence did not show petitioner had objectively reasonable basis for future fear). Accordingly, Huertas' asylum claim fails.

Because Huertas failed to establish eligibility for asylum, he necessarily failed to meet the more stringent standard for withholding of removal. *See Zehatye*, 453 F.3d at 1190.

PETITION FOR REVIEW DENIED.

07-73254