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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p> RUKSHANA HASSAN MOHAMMED AL-AMIRI, Petitioner, v. ERIC H. HOLDER, Jr., Attorney General, Respondent. </p>

No. 07-71419

Agency No. A070-779-008

MEMORANDUM*

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

Argued and Submitted December 7, 2010
Pasadena, California

Before: PREGERSON, CLIFTON, and BEA, Circuit Judges.

Rukshana Hassan Mohammed Al-Amiri petitions for review of the denial of her application for asylum, withholding of removal, and protection under the Convention Against Torture. We deny the petition.

Substantial evidence supported the conclusions that petitioner failed to establish her identity, nationality, or citizenship as required under 8 U.S.C.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

§ 1158(d)(5)(A)(i), and that she was not a credible witness. There was persuasive evidence that Al-Amiri entered the United States in 1991, a year before she claimed, as an Indian citizen with an Indian passport, contrary to her contention that she entered as an Iranian national.

Al-Amiri's confidentiality claim also fails. Under 8 C.F.R. § 208.6(a), claimants are protected from "disclos[ure]" of any "[i]nformation contained in or pertaining to any asylum application." Nothing in the record indicates that it was revealed that Al-Amiri had applied for asylum in this country. Showing the photograph and verifying birth certificates did not disclose that fact or otherwise violate the regulation.

We lack jurisdiction over any claim by Al-Amiri for CAT relief because she did not exhaust the claim before the agency. *Guo v. Ashcroft*, 361 F.3d 1194, 1199 n.1 (9th Cir. 2004) (citing *Khourassany v. INS*, 208 F.3d 1096, 1099 (9th Cir. 2000)).

PETITION DENIED.