

FEB 24 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JUAN VALDEZ,</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. 08-71885

Agency No. A072-692-906

MEMORANDUM*

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

Submitted February 15, 2011**

Before: CANBY, FERNANDEZ, and M. SMITH, Circuit Judges.

Juan Valdez, a native and citizen of Guatemala, petitions for review of a Board of Immigration Appeals’ order summarily affirming his appeal from an immigration judge’s (“IJ”) decision denying relief under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for

* 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).

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

Valdez's contention that the IJ failed to analyze his CAT claim under the "willful blindness" standard set forth in *Zheng v. Ashcroft*, 332 F.3d 1186 (9th Cir. 2003), is belied by the record. In addition, substantial evidence supports the IJ's finding that Valdez has not demonstrated a likelihood of torture. *See Santos-Lemus v. Mukasey*, 542 F.3d 738, 747-48 (9th Cir. 2008) (CAT relief denied where the petitioner's feared torture would be at the hands of private individuals, there was no evidence the police knew the petitioner had been targeted or threatened, and the petitioner's mother was living safely in El Salvador).

PETITION FOR REVIEW DENIED.