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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JORGE EZEQUIEL VALDEZ- BONILLA,</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>
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No. 09-72240

Agency No. A099-469-546

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.

Jorge Ezequiel Valdez-Bonilla, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing his appeal from an immigration judge’s decision denying his application for asylum, withholding of removal, and relief under the Convention Against Torture (“CAT”).

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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).

We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law, *Cerezo v. Mukasey*, 512 F.3d 1163, 1166 (9th Cir. 2008), except to the extent that deference is owed to the BIA’s determination of the governing statutes and regulations, *Simeonov v. Ashcroft*, 371 F.3d 532, 535 (9th Cir. 2004). We review for substantial evidence factual findings. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). We deny the petition for review.

We reject Valdez-Bonilla’s claim that he is eligible for asylum and withholding of removal based on his membership in a particular social group, namely, victims of gang recruitment. *See Santos-Lemus v. Mukasey*, 542 F.3d 738, 744-46 (9th Cir. 2008) (rejecting as a particular social group “young men in El Salvador resisting gang violence”); *Ramos-Lopez v. Holder*, 563 F.3d 855, 860-62 (9th Cir. 2009) (rejecting as a particular social group “young Honduran men who have been recruited by [a gang], but who refuse to join”). Valdez-Bonilla’s social visibility argument is foreclosed by our decision in *Santos-Lemus*, 542 F.3d at 744-46.

Substantial evidence supports the agency’s denial of Valdez-Bonilla’s CAT claim because he failed to show it is more likely than not that he will be tortured if he returns to El Salvador. *See id.* at 747-48.

Finally, we reject Valdez-Bonilla's claim under the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 ("TVPRA"), Pub. L. 110-457, because he is not eligible for relief. *See* 6 U.S.C. § 279(g)(2)(C)(i).

**PETITION FOR REVIEW DENIED.**