

MAR 10 2011

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

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FELIPA DE LOS ANGELES-MORENO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-73234

Agency No. A099-474-682

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.

Felipa De Los Angeles-Moreno, a native and citizen of El Salvador, petitions for review of the decision of the Board of Immigration Appeals, upholding the immigration judge’s denial of her applications for asylum and withholding of removal.

* 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).

De Los Angeles-Moreno contends that she suffered persecution because she was harassed by gangs in El Salvador, and she is entitled to asylum and withholding relief. Petitioner's refusal to comply with the gang's extortion demands does not constitute a political opinion. *See Santos-Lemus v. Mukasey*, 542 F.3d 738, 742 (9th Cir. 2008) (holding that general aversion to gangs does not constitute a political opinion for asylum purposes). Petitioner does not allege she was part of a social group, and otherwise fails to establish that she was eligible for asylum or withholding relief.

We need not reach De Los Angeles-Moreno's contention that the immigration judge erred in finding that she was not credible, where the BIA did not reach the issue due to petitioner's failure to establish her eligibility for asylum.

PETITION FOR REVIEW DENIED.