

MAR 18 2011

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MOHAMMAD HUMAYUN KABIR,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
--

No. 08-70215

Agency No. A095-634-742

MEMORANDUM*

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

Submitted March 8, 2011**

Before: FARRIS, LEAVY, and BYBEE, Circuit Judges.

Mohammad Humayun Kabir, a native and citizen of Bangladesh, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s (“IJ”) decision denying his application for withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial

* 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).

evidence, *Gonzalez-Hernandez v. Ashcroft*, 336 F.3d 995, 998 (9th Cir. 2003), and we deny the petition for review.

Substantial evidence supports the IJ's finding that, even if Kabir was persecuted on account of a protected ground, the government rebutted the presumption of a clear probability of future persecution by establishing changed circumstances in Bangladesh. *See Gonzalez-Hernandez*, 336 F.3d at 999-1001. The IJ rationally construed evidence in the record and provided a sufficiently individualized analysis of Kabir's situation. *See id.* at 1000. Accordingly, Kabir's withholding of removal claim fails. *See id.* at 1001 n.5.

PETITION FOR REVIEW DENIED.