

APR 14 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JUAN CARLOS CASTRO PALMA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 10-72674

Agency No. A097-349-757

MEMORANDUM*

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

Submitted April 5, 2011**

Before: B. FLETCHER, CLIFTON, and BEA, Circuit Judges.

Juan Carlos Castro Palma, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s decision denying his application for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). We have

* 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).

jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *see INS v. Elias-Zacarias*, 502 U.S. 478, 481 n.1 (1992), and we deny the petition for review.

Substantial evidence supports the agency's determination that Palma failed to establish that he was or would be targeted on account of a protected ground in El Salvador. *See id.* at 483-84; *see also Dinu v. Ashcroft*, 372 F.3d 1041, 1044-45 (9th Cir. 2004) (petitioner has the burden of showing a purported criminal investigation has no "bona fide objective").

Substantial evidence supports the agency's determination that Palma is not entitled to CAT relief because he failed to establish it is more likely than not that he would be tortured in El Salvador. *See Silaya v. Mukasey*, 524 F.3d 1066, 1073 (9th Cir. 2008). —

Palma's request to file a replacement brief is granted. The brief submitted on February 21, 2011 is deemed filed.

PETITION FOR REVIEW DENIED.