

MAY 05 2011

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>RUFINO DOMINGUEZ-SANCHEZ, a.k.a., Jose Santos Lozano-Montoya,</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. 08-70986

Agency No. A073-129-877

MEMORANDUM\*

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

Submitted April 20, 2011\*\*

Before: RYMER, THOMAS, and PAEZ, Circuit Judges.

Rufino Dominguez-Sanchez, 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 and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review

---

\* 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).

for substantial evidence, *Dhital v. Mukasey*, 532 F.3d 1044, 1051 (9th Cir. 2008), and we deny the petition for review.

Substantial evidence supports the agency's adverse credibility determination because Dominguez-Sanchez admitted to lying about his identity for purposes of seeking asylum, obtaining a work permit, and in other interactions with government officials. *See id.* (affirming adverse credibility determination on the basis of petitioner's "initial filing of a fraudulent asylum application, combined with his repetition of his fabricated narrative in his asylum interview and in his first hearing before the IJ"). Substantial evidence also supports the agency's adverse credibility determination based upon the omission of the 1988 detention by guerillas from Dominguez-Sanchez's original asylum application, *see Li v. Ashcroft*, 378 F.3d 959, 962-64 (9th Cir. 2004), and his failure to provide reasonable explanations for the omission, *see Rivera v. Mukasey*, 508 F.3d 1271, 1275 (9th Cir. 2007). In the absence of credible testimony, Dominguez-Sanchez's claims for asylum and withholding of removal fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

**PETITION FOR REVIEW DENIED.**