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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CARLOS EDUARDO ZARCENO; IRIS  
JEANNETTE ZARCENO, AKA Iris Janet  
Hernandez de Zarceno; ANDREA SOFIA  
ZARCENO HERNANDEZ, aka Andrea  
Zarceno Hernandez,

Petitioners,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-74002

Agency Nos.       A094-999-228  
                              A094-999-229  
                              A094-999-230

MEMORANDUM\*

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

Submitted June 6, 2011\*\*  
Seattle, Washington

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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).

Before: W. FLETCHER and RAWLINSON, Circuit Judges, and  
GONZALEZ, Chief District Judge.\*\*\*

Petitioner Eduardo Zarceno appeals from the BIA's denial of his asylum petition. Zarceno alleges persecution by the Salvadoran "Mara 18" gang. He alleges that he was targeted by the gang because he is a lawyer and he refused to represent members of the gang in criminal matters.

We review a denial of asylum by the BIA for substantial evidence. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). This means that "unless any reasonable adjudicator would be compelled to conclude to the contrary," 8 U.S.C. § 1252(b)(4)(B), we must affirm.

Even if we assume that lawyers who refuse to represent gang members are a particular social group as contemplated by the asylum laws, and even if we assume that Mara 18 was a state actor or could not be controlled by state authorities, there was sufficient evidence for the BIA to conclude that Zarceno was not persecuted on account of his membership in a particular social group. At his asylum hearing, Zarceno testified that he was approached by the gang for money. When asked by the government's lawyer why he was targeted, Zarceno responded, "It was not for political motivations, it was for monetary motivation. They thought because I'm a

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\*\*\* The Honorable Irma E. Gonzalez, Chief District Judge for the U.S. District Court for the Southern District of California, sitting by designation.

lawyer that I have money.” This was sufficient for the BIA to conclude that Zarceno was not persecuted on account of a protected ground. *See INS v. Elias-Zacarias*, 502 U.S. 478, 481-82 (1992). For similar reasons, this was sufficient for the BIA to deny Zarceno’s application for withholding of removal.

As Zarceno provides no argument on appeal why the BIA’s denial of protection under CAT was in error, we do not address his CAT claim. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259 (9th Cir. 1996) (“Issues raised in a brief that are not supported by argument are deemed abandoned.”).

PETITION DENIED.