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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ZHANETA NEDIALKOVA IVANOVA; et al.,	No. 08-72051
Petitioners,	Agency Nos. A098-534-269 A098-534-270 A098-534-271
v.	
ERIC H. HOLDER, Jr., Attorney General,	MEMORANDUM*
Respondent.	

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

Submitted July 12, 2011**

Before: SCHROEDER, ALARCÓN, and LEAVY, Circuit Judges.

Zhaneta Nedialkova Ivanova and her family, natives and citizens of Bulgaria, petition for review of the Board of Immigration Appeals' order dismissing their appeal from an immigration judge's decision denying their application for asylum, withholding of removal, and protection under the

* 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).

Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence, *Kin v. Holder*, 595 F.3d 1050, 1054 (9th Cir. 2010), and we deny the petition for review.

Substantial evidence supports the agency’s adverse credibility determination because the discrepancies between petitioners’ testimony, a medical document, and a witness’ testimony regarding Aleksandar Petkov Ivanov’s fractured pelvis go to the heart of petitioners’ claim, *see id.* at 1058, and petitioners’ explanation does not compel a contrary conclusion, *see Rivera v. Mukasey*, 508 F.3d 1271, 1275 (9th Cir. 2007). Accordingly, in the absence of credible testimony, petitioners’ asylum and withholding of removal claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Further, because petitioners’ CAT claim is based on the same statements found to be not credible, and petitioners do not point to any other evidence that shows it is more likely than not that they will be tortured if returned to Bulgaria, their CAT claim also fails. *See id.* at 1156-57.

PETITION FOR REVIEW DENIED.