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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MODESTO TIZNADO-RODRIGUEZ,
a.k.a. Modesto Tiznado,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-71651

Agency No. A076-389-498

MEMORANDUM*

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

Submitted August 11, 2011**

Before: THOMAS, SILVERMAN, and CLIFTON, Circuit Judges.

Modesto Tiznado-Rodriguez, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s decision denying relief under the Convention Against Torture (“CAT”). 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 the agency's factual determinations and de novo questions of law. *Zheng v. Ashcroft*, 332 F.3d 1186, 1193 (9th Cir. 2003). We deny the petition for review.

The evidence does not compel the conclusion that Tiznado-Rodriguez will more likely than not be tortured by or with the consent or acquiescence of public officials if returned to Mexico. *See id.* at 1194. Tiznado-Rodriguez's contention that the agency applied a narrow legal standard in evaluating his CAT claim is belied by the record.

PETITION FOR REVIEW DENIED.