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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

KRISHAN JIWAN KAPOOR,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

No. 07-74977

Agency No. A097-114-961

MEMORANDUM*

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

Argued and Submitted October 12, 2011
San Francisco, California

Before: B. FLETCHER, REINHARDT, and TASHIMA, Circuit Judges.

Krishan Jiwan Kapoor, a native and citizen of India, petitions for review of the decision of the Board of Immigration Appeals affirming the Immigration Judge’s (“IJ”) denial of his applications for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). We have jurisdiction

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

under 8 U.S.C. § 1252. We review for substantial evidence and deny the petition for review.

Substantial evidence supports the IJ's adverse credibility determination. The IJ identified specific inconsistencies in Kapoor's testimony and the medical documents he presented that relate to the injuries and incidents of persecution at the heart of his claims. *See Pal v. INS*, 204 F.3d 935, 938 (9th Cir. 2000). In the absence of credible evidence, Kapoor has failed to show eligibility for asylum or withholding of removal. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Because Kapoor's CAT claim is based on the same testimony the agency found not credible, substantial evidence also supports denial of relief under the CAT. *See id.* at 1156-57.

PETITION FOR REVIEW DENIED.