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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>MANUEL ARRIOLA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p> |
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No. 10-73663

Agency No. A094-464-536

MEMORANDUM*

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

Submitted October 25, 2011**

Before: TROTT, GOULD, and RAWLINSON, Circuit Judges.

Manuel Arriola, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals’ (“BIA”) order dismissing his appeal from an immigration judge’s decision denying his application for withholding of removal.

We have jurisdiction under 8 U.S.C. § 1252. We review de novo questions of law,

* 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).

Cerezo v. Mukasey, 512 F.3d 1163, 1166 (9th Cir. 2008), except to the extent that deference is owed to the BIA’s determination of the governing statutes and regulations, *Simeonov v. Ashcroft*, 371 F.3d 532, 535 (9th Cir. 2004). We review for substantial evidence factual findings. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). We deny the petition for review.

We reject Arriola’s contention that he is eligible for withholding of removal based on his membership in a particular social group, namely, young Salvadoran men who oppose gang membership. *See Santos-Lemus v. Mukasey*, 542 F.3d 738, 746-47 (9th Cir. 2008) (rejecting as a particular social group “young [men] in El Salvador resisting gang violence”). Arriola’s arguments that *Matter of S-E-G-*, 24 I & N Dec. 579 (BIA 2008), was wrongly decided, and that ‘social visibility’ and ‘particularity’ are improper factors for determining a particular social group, are unavailing. *See Ramos-Lopez v. Holder*, 563 F.3d 855, 860-62 (9th Cir. 2009). Accordingly, Arriola’s withholding of removal claim fails.

PETITION FOR REVIEW DENIED.