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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

IVO PARICHKOV,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-71196

Agency No. A097-635-362

MEMORANDUM*

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

Submitted January 17, 2012**

Before: LEAVY, TALLMAN, and CALLAHAN, Circuit Judges.

Ivo Parichkov, a native and citizen of Bulgaria, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for asylum, withholding of removal, and protection under the Convention Against Torture ("CAT"). We have

* 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).

jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings, *Chebchoub v. INS*, 257 F.3d 1038, 1042 (9th Cir. 2001), and we deny the petition for review.

Substantial evidence supports the agency's adverse credibility finding based on the inconsistencies between Parichkov's medical documentation and his testimony about the attacks and injuries he suffered from skinheads. *See id.* at 1043. Further, because the IJ had reason to question Parichkov's credibility, his failure to provide corroborating evidence undermines his claim. *See id.* at 1044-45. In light of our conclusion regarding the agency's adverse credibility finding, we do not reach Parichkov's pattern or practice contention. In the absence of credible evidence, Parichkov's asylum and withholding of removal claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Because Parichkov's CAT claim is based on the same evidence that the agency found not credible, and he points to no other evidence showing it is more likely than not he would be tortured if returned to Bulgaria, his CAT claim also fails. *See id.* at 1156-57.

PETITION FOR REVIEW DENIED.