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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DINESH SINGH,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 10-73431

Agency No. A040-149-432

MEMORANDUM\*

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

Submitted May 15, 2012\*\*

Before: CANBY, GRABER, and M. SMITH, Circuit Judges.

Dinesh Singh, a native and citizen of India, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from the immigration judge’s decision denying his application for withholding of removal and relief under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C.

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\* 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).

§ 1252. 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.

Singh does not allege past persecution. With respect to his fear of future harm in India, substantial evidence supports the agency's conclusion that Singh failed to establish a clear probability that he would be persecuted on account of his Christian religion or his conversion to Christianity. *See Hoxha v. Ashcroft*, 319 F.3d 1179, 1185 (9th Cir. 2003) (no compelling evidence that persecution of non-political Albanians in Kosovo is so widespread that applicant faced a clear probability of persecution). Accordingly, Singh's withholding of removal claim fails.

Substantial evidence also supports the agency's finding that Singh has not established that it is more likely than not he would be tortured by the government or with the government's consent or acquiescence if returned to India. *See Soriano v. Holder*, 569 F.3d 1162, 1167 (9th Cir. 2009). Accordingly, Singh's CAT claim fails.

**PETITION FOR REVIEW DENIED.**