

JUL 23 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FELIPE MEJIA LOPEZ,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-71321

Agency No. A070-797-214

MEMORANDUM*

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

Submitted July 17, 2012**

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

Felipe Mejia Lopez, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review for

* 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).

substantial evidence, *Gonzalez-Hernandez v. Ashcroft*, 336 F.3d 995, 998 (9th Cir. 2003), and we deny the petition for review.

Substantial evidence supports the BIA's determination that even if Mejia Lopez was credible and established past persecution, the government rebutted the presumption that Mejia Lopez had a well-founded fear of future persecution with evidence of changed country conditions within Guatemala. *See id.* at 1000 (presumption of well-founded fear from Guatemalan guerrillas rebutted by evidence of 1996 peace accords). Mejia Lopez's contention that the agency failed to conduct a sufficiently individualized analysis is not supported by the record. Accordingly, Mejia Lopez's asylum claim fails.

Because Mejia Lopez failed to establish eligibility for asylum, he necessarily failed to meet the more stringent standard for withholding of removal. *Id.* at 1001 n.5.

PETITION FOR REVIEW DENIED.