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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>MARIO GUSTAVO VEGA-ISLA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 11-72484

Agency No. A088-451-944

MEMORANDUM\*

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

Submitted March 12, 2013\*\*

Before: PREGERSON, REINHARDT, and W. FLETCHER, Circuit Judges.

Mario Gustavo Vega-Isla, a native and citizen of Peru, 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 for substantial evidence

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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).

factual findings. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006).

We grant the petition for review and remand.

Substantial evidence does not support the BIA's determination that the persecution Vega-Isla suffered was based solely on criminal extortion of merchandise. Vega-Isla's asylum application statement and credible testimony established his actual or imputed political opinion was "at least one central reason" for the confrontations, death threats, robbery, assault, pursuit, and continuing interest from Shining Path guerrillas. *See Hu v. Holder*, 652 F.3d 1011, 1017, 1019 (9th Cir. 2011) ("[e]ven though there might have been multiple motivations for the [mistreatment of petitioner] his credible testimony compels a finding that one of the central reasons for his alleged persecution was because of a protected ground").

Thus, we grant Vega-Isla's petition for review, and remand his withholding of removal claim to the BIA for further proceedings consistent with this disposition. *See INS v. Ventura*, 537 U.S. 12, 16-18 (2002) (per curiam).

**PETITION FOR REVIEW GRANTED; REMANDED.**