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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ALEXANDRU ALOIS CSIKI, a.k.a. Alois Alexandru Csiki,</p> <p style="text-align: center;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p style="text-align: center;">Respondent.</p>

No. 11-72845

Agency No. A072-517-159

MEMORANDUM*

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

Submitted May 14, 2013**

Before: LEAVY, THOMAS, and MURGUIA, Circuit Judges.

Alexandru Alois Csiki, a native and citizen of Romania, petitions for review the Board of Immigration Appeals’ (“BIA”) order dismissing his appeal from an immigration judge’s decision denying his application for protection under the Convention Against Torture. We have jurisdiction under 8 U.S.C. § 1252. We

* 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).

review for substantial evidence the agency's factual findings, *Wakkary v. Holder*, 558 F.3d 1049, 1056 (9th Cir. 2009), and we deny the petition for review.

Substantial evidence supports the agency's determination that in light of current country conditions in Romania, Csiki failed to show it is more likely than not he would be tortured if he returned there. *See Sowe v. Mukasey*, 538 F.3d 1281, 1288-89 (9th Cir. 2008) (upholding agency's finding that petitioner would not be tortured because country conditions have changed). Csiki's contention that the BIA failed to consider country conditions in Romania is contradicted by the BIA's statement that "the evidence of record indicates that torture sometimes occurs in Romania" and its reference to other "documentary evidence." Csiki's contention that the BIA did not adequately consider the harm he suffered in the early 1990's has no bearing on the BIA's dispositive finding regarding changed country conditions.

PETITION FOR REVIEW DENIED.