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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SERGIO PAULO HERNANDEZ
GODINEZ,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-72072

Agency No. A075-659-683

MEMORANDUM*

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

Submitted July 24, 2013**

Before: ALARCÓN, CLIFTON, and CALLAHAN, Circuit Judges.

Sergio Paulo Hernandez Godinez, a native and citizen of Guatemala, 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

* 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).

Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence factual findings, *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006), and we deny the petition for review.

The agency denied Hernandez Godinez’s claims for relief because he did not establish a nexus to a protected ground and because of changed country conditions in Guatemala. We reject Hernandez Godinez’s contention that the IJ did not consider properly the magnitude of the Xaman massacre and did not consider the on-going nature of the investigation into it in denying relief. Hernandez Godinez does not otherwise challenge the agency’s denial of his claims for asylum, withholding of removal and CAT relief. Thus, we deny the petition as to his claims for relief.

PETITION FOR REVIEW DENIED.