

OCT 21 2013

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ZHILIN YANG,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 10-72865

Agency No. A088-465-569

MEMORANDUM*

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

Submitted October 15, 2013**

Before: FISHER, GOULD, and BYBEE, Circuit Judges.

Zhilin Yang, a native and citizen of China, 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 substantial evidence

* 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. *Ren v. Holder*, 648 F.3d 1079, 1083 (9th Cir. 2011). We grant the petition for review and we remand.

Yang challenges the BIA's conclusion that he failed to provide reasonably available corroborating evidence. The parties agree that the BIA relied solely on corroboration grounds in denying Yang's application. When the BIA issued its decision, it did not have the benefit of our intervening decision in *Ren v. Holder*. Accordingly, we remand to the agency for further proceedings consistent with this disposition. *See INS v. Ventura*, 537 U.S. 12, 16-18 (2002) (per curiam).

In light of our remand, we need not reach Yang's due process contentions.

PETITION FOR REVIEW GRANTED; REMANDED.