

DEC 9 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

XINHUA LI,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 11-70799

Agency No. A088-130-220

MEMORANDUM*

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

Submitted November 19, 2013**

Before: CANBY, TROTT, and THOMAS, Circuit Judges.

Xinhua Li, a native and citizen of China, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's decision denying her application for asylum and withholding of removal.

* 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).

We have jurisdiction under 8 U.S.C. § 1252. We grant the petition for review and we remand.

The BIA determined Li's testimony was not sufficiently persuasive and specific to establish she underwent a forced abortion in China, and that she provided no corroboration of this claim. The BIA also determined Li failed to corroborate the arrests based on her Christian religion. In reaching these conclusions, the BIA did not have the benefit of our decision in *Ren v. Holder*, 648 F.3d 1079 (9th Cir. 2011), regarding notice and an opportunity to provide corroborative evidence. Thus, we grant the petition for review and remand this case 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.