

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

APR 11 2014

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

DINA MARIBEL LUNA-RAMIREZ,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 12-73055

Agency No. A098-112-383

MEMORANDUM*

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

Submitted April 7, 2014**

Before: TASHIMA, GRABER, and IKUTA, Circuit Judges.

Dina Maribel Luna-Ramirez, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's decision denying her application for asylum. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the

* 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).

agency's factual findings. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). We deny the petition for review.

Substantial evidence supports the agency's determination that the incidents Luna-Ramirez experienced, including death threats, did not rise to the level of persecution. *See Nahrvani v. Gonzales*, 399 F.3d 1148, 1153-54 (9th Cir. 2005) (record did not compel the finding that the incidents of harm petitioner suffered constituted past persecution). We reject Luna-Ramirez's contentions that the agency failed to consider evidence relevant to her claim of persecution. Further, as Luna-Ramirez has not established past persecution, she is not entitled to a presumption of future persecution. *See Molina-Estrada v. INS*, 293 F.3d 1089, 1096 (9th Cir. 2002). As Luna-Ramirez does not otherwise contend she has shown a well-founded fear of persecution, her asylum claim fails.

In light of these conclusions, we do not reach Luna-Ramirez's other contentions or her request for judicial notice relating to her ability to relocate.

PETITION FOR REVIEW DENIED.