

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAY 12 2014

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

PETREA STETCO,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-72618

Agency No. A098-344-912

MEMORANDUM*

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

Submitted April 10, 2014**
San Francisco, California

Before: SCHROEDER and CALLAHAN, Circuit Judges, and PRATT, Senior
District Judge.***

Petitioner, Petrea Stetco, is a Romanian citizen appealing the denial of his
applications for asylum, withholding of removal, and relief under the Convention

* 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).

*** The Honorable Robert W. Pratt, Senior United States District Judge
for the Southern District of Iowa, sitting by designation.

Against Torture. Petitioner claims that he was subject to persecution on the basis of his Pentecostal Christian faith and that he fears future persecution if returned to Romania. The agency found him not credible.

Adverse credibility determinations are reviewed for substantial evidence and will be upheld unless the evidence compels a different result. *He v. Ashcroft*, 328 F.3d 593, 595 (9th Cir. 2003). In a pre-REAL ID Act case, any inconsistency supporting an adverse credibility determination must go to the heart of the claim. *Li v. Ashcroft*, 378 F.3d 959, 962 (9th Cir. 2004).

The heart of Petitioner's claim is that he was threatened and mistreated on account of his Pentecostal faith. His prior Canadian petition, however, inconsistently attributed the same threats and mistreatment to retaliation by the Romanian mafia and former employees that he had supervised. The inconsistency is sufficient to support the adverse credibility determination. There is no evidence compelling a different conclusion.

DENIED.