

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAY 19 2014

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

JOSE SANTOS LOPEZ-SANCHEZ,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 09-73594

Agency No. A094-825-260

MEMORANDUM*

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

Submitted May 13, 2014**

Before: CLIFTON, BEA, and WATFORD, Circuit Judges.

Jose Santos Lopez-Sanchez, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for withholding of removal and relief under the Convention Against Torture ("CAT"). We have

* 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).

jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence factual findings, *INS v. Elias-Zacarias*, 502 U.S. 478, 481 & n.1 (1992), and we deny the petition for review.

Substantial evidence supports the agency's finding that Lopez-Sanchez failed to establish the gang's attempt to recruit him and the threats he received rose to the level of past persecution. *See Lim v. INS*, 224 F.3d 929, 936 (9th Cir. 2000). The record also does not compel the conclusion that it is more likely than not that Lopez-Sanchez will be persecuted on account of a protected ground. *See Zetino v. Holder*, 622 F.3d 1007, 1015-16 (9th Cir. 2010). Accordingly, Lopez-Sanchez's withholding of removal claim fails.

Substantial evidence also supports the agency's denial of CAT relief because Lopez-Sanchez failed to establish that it is more likely than not he will be tortured by or with the acquiescence of the government of El Salvador. *See Silaya v. Mukasey*, 524 F.3d 1066, 1073 (9th Cir. 2008).

We reject Lopez-Sanchez's contention that the agency applied the wrong legal standard. Further, Lopez-Sanchez has not overcome the presumption that the BIA considered all the evidence in the record. *See Larita-Martinez v. INS*, 220 F.3d 1092, 1095-96 (9th Cir. 2000).

Finally, Lopez-Sanchez's motion for a bond hearing is denied. He may seek administrative remedies. *See, e.g., Leonardo v. Crawford*, 646 F.3d 1157, 1160 (9th Cir. 2011).

PETITION FOR REVIEW DENIED.