

JUN 12 2014

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

NOT FOR PUBLICATION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

AVTAR SINGH,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-71645

Agency No. A070-530-104

MEMORANDUM*

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

Argued and Submitted June 4, 2014
Seattle, Washington

Before: McKEOWN and WATFORD, Circuit Judges, and ROTHSTEIN, Senior
District Judge.**

Avtar Singh petitions for review of the Board of Immigration Appeals'
(BIA) decision affirming the Immigration Judge's (IJ) denial of asylum,

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The Honorable Barbara Jacobs Rothstein, Senior District Judge for the
U.S. District Court for the Western District of Washington, sitting by designation.

withholding of removal, and protection under the Convention Against Torture. He appeals only the denial of his asylum claim.

The IJ's adverse credibility determination is supported by substantial evidence. Singh testified inconsistently about whether he was engaged in any political activity after his arrest in 1991, as well as the nature and scope of any such political activity. He was also unable to adequately explain the apparent inconsistency in his whereabouts during the nine-month period following his arrest. As the BIA correctly concluded, these inconsistencies about his whereabouts and whether he engaged in further political activities after his arrest go to the heart of his claim. *See Chebchoub v. INS*, 257 F.3d 1038, 1043 (9th Cir. 2001). On the basis of this record, a reasonable factfinder would not be compelled to conclude that Singh testified consistently and credibly regarding events central to his asylum claim. *See INS v. Elias-Zacarias*, 502 U.S. 478, 481 n.1 (1992).

PETITION FOR REVIEW DENIED.