

JUL 15 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUN CHENG,

Petitioner,

v.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

No. 10-73288

Agency No. A098-469-473

MEMORANDUM*

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

Submitted July 11, 2014**
Pasadena, California

Before: SILVERMAN, TALLMAN, and RAWLINSON, Circuit Judges.

Jun Cheng, a native and citizen of China, petitions for review of the Board of Immigration Appeals denial of asylum and withholding of removal. We have jurisdiction pursuant to 8 U.S.C. § 1252(b)(1), and deny the petition for review.

* 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 agency's adverse credibility finding is supported by several instances of Cheng's significant inconsistent testimony regarding the events underlying her claim. *Shrestha v. Holder*, 590 F.3d 1034, 1046-47 (9th Cir. 2010).

Substantial evidence also supports the agency's alternative finding that, even if Cheng's testimony were deemed to be credible, Cheng did not establish either past persecution or a well-founded fear of future persecution. Cheng's single overnight detention and her husband's rough treatment, after which they were released unharmed, did not rise to the level of persecution. *Gu v. Gonzales*, 454 F.3d 1014, 1019-21 (9th Cir. 2006). Similarly, the agency's finding that Cheng does not have an objective fear of future persecution on account of political opinion is supported by Cheng's testimony that her similarly situated husband has remained in China without further detention or arrest. *Hakeem v. INS*, 273 F.3d 812, 816 (9th Cir. 2001), *superseded by statute on other grounds as stated in Ramadan v. Gonzales*, 479 F.3d 646, 650 (9th Cir. 2007). Nor is there evidence in the record that would compel a conclusion that Cheng has an objectively reasonable fear of future persecution on account of her recent conversion to Christianity.

PETITION FOR REVIEW DENIED.