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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>BENITO OVIDIO VICENTE-MEJIA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>

No. 10-73514

Agency No. A093-492-039

MEMORANDUM*

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

Submitted April 7, 2015**

Before: FISHER, TALLMAN, and NGUYEN, Circuit Judges.

Benito Ovidio Vicente-Mejia, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We 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).

1 for substantial evidence the agency’s factual findings, *Wakkary v. Holder*, 558 F.3d
2 1049, 1056 (9th Cir. 2009), and we deny the petition for review.

3 Vicente-Mejia argued to the agency that he established past persecution at
4 the hands of guerillas and his neighbor and a fear of future persecution from gangs
5 on account of his membership in a particular social group. Substantial evidence
6 supports the agency’s finding that Vicente-Mejia failed to establish past
7 persecution or a well-founded fear of future harm on account of a protected
8 ground. *See INS v. Elias-Zacarias*, 502 U.S. 478, 482-83 (1992); *see also Zetino*
9 *v. Holder*, 622 F.3d 1007, 1016 (9th Cir. 2010) (“An alien’s desire to be free from
10 harassment by criminals motivated by theft or random violence by gang members
11 bears no nexus to a protected ground.”). Thus, Vicente-Mejia’s claims for asylum
12 and withholding of removal fail.

13 **PETITION FOR REVIEW DENIED.**