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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN GIOVANNY MEJIA-URIZAR,
AKA Luis Flores-Sifuentes,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 12-73222

Agency No. A200-884-064

MEMORANDUM*

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

Submitted May 13, 2015**

Before: LEAVY, CALLAHAN, and M. SMITH, Circuit Judges.

Juan Giovanni Mejia-Urizar, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for asylum, withholding of removal, and relief under the Convention Against Torture ("CAT").

* 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).

We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings, *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006), and we deny the petition for review.

Mejia-Urizar does not challenge the agency's determination that his asylum claim was time barred, nor the agency's denial of his CAT claim. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues not specifically raised and argued in a party's opening brief are waived). Thus, we deny Mejia-Urizar's petition as to his asylum and CAT claims.

With respect to withholding of removal, we reject Mejia-Urizar's contention that the BIA did not reach the question of whether the harm he suffered in Guatemala was on account of a protected ground because it is not supported by the record. Mejia-Urizar does not challenge the agency's nexus finding, and does not otherwise challenge the agency's determination that he has failed to establish a clear probability of future persecution in the absence of past persecution. *See id.* Thus, Mejia-Urizar's withholding of removal claim fails.

PETITION FOR REVIEW DENIED.