

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 23 2015

FOR THE NINTH CIRCUIT

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

SEYUN KIM,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 09-73640

Agency No. A098-251-915

MEMORANDUM*

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

Submitted September 18, 2015**
San Francisco, California

Before: CHRISTEN and FRIEDLAND, Circuit Judges and LEMELLE,**
District Judge.

Seyun Kim, a native and citizen of South Korea, petitions for review of a
Board of Immigration Appeals decision dismissing his appeal from an immigration

* 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 Honorable Ivan L.R. Lemelle, District Judge for the U.S. District
Court for the Eastern District of Louisiana, sitting by designation.

judge's decision denying his application for withholding of removal. We deny the petition for review. "[F]orced conscription or punishment for evasion of military duty generally does not constitute persecution on account of a protected ground." *Movsisian v. Ashcroft*, 395 F.3d 1095, 1097 (9th Cir. 2005). Kim has presented no "evidence that [he] would be singled out for severe disproportionate punishment for refusing to serve in the [South Korean] military." *Zehatye v. Gonzales*, 453 F.3d 1182, 1188 (9th Cir. 2006); *cf. id.* at 1187 (citing cases involving examples of severe disproportionate punishment).

DENIED.