

JAN 26 2016

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MATIUR RAHMAN,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 15-71564

Agency No. A206-911-154

MEMORANDUM*

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

Submitted January 20, 2016**

Before: CANBY, TASHIMA, and NGUYEN, Circuit Judges.

Matiur Rahman, a native and citizen of Bangladesh, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We

* 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).

review for substantial evidence the agency's factual findings. *See Ren v. Holder*, 648 F.3d 1079, 1083 (9th Cir. 2011). We grant the petition for review and remand.

The BIA found that Rahman did not challenge the IJ's finding that he could internally relocate. The record does not support the BIA's conclusion where Rahman, in his pro se brief to the BIA, argued that he did not think the police would protect him anywhere he went in Bangladesh. Thus, we grant the petition for review as to Rahman's asylum and withholding of removal claims, and remand for the BIA to address the IJ's internal relocation finding in the first instance. *See INS v. Ventura*, 537 U.S. 12, 16 (2002) (per curiam).

PETITION FOR REVIEW GRANTED; REMANDED.