

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 22 2016

FOR THE NINTH CIRCUIT

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

MARVIN CLAVEL, AKA Marvin Stanly  
Clavel Rodriguez,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-72906

Agency No. A047-298-208

MEMORANDUM\*

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

Submitted June 14, 2016\*\*

Before: BEA, WATFORD, and FRIEDLAND, Circuit Judges.

Marvin Clavel, a native and citizen of El Salvador, petition for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's decision denying his application for withholding of removal and relief under the Convention Against Torture ("CAT"). Our jurisdiction is

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

governed by 8 U.S.C. § 1252. We review for substantial evidence the agency’s factual findings, *Silaya v. Mukasey*, 524 F.3d 1066, 1070 (9th Cir. 2008), and we deny in part and dismiss in part the petition for review.

We lack jurisdiction to consider the social group Clavel proposes for the first time in his opening brief. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004) (petitioner must exhaust claims in administrative proceedings below). Further, substantial evidence supports the BIA’s conclusion that Clavel failed to argue a protected ground was a central reason for the harm he experienced in the past and fears in the future. *See Parussimova v. Mukasey*, 555 F.3d 734, 740-41 (9th Cir. 2009) (Under the REAL ID, applicant must prove that a protected ground represents ‘one central reason’ for persecution). Thus, his withholding of removal claim fails.

Finally, Clavel makes no arguments challenging the agency’s denial of his CAT claim. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259 (9th Cir. 1996) (“Issues raised in a brief that are not supported by argument are deemed abandoned.”).

**PETITION FOR REVIEW DENIED in part; DISMISSED in part.**