

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 24 2016

FOR THE NINTH CIRCUIT

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

JORGE ANTONIO LUNA-BAUTISTA,
AKA Jorge Antonio Bautista,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 14-73249

Agency No. A076-606-354

MEMORANDUM*

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

Submitted August 16, 2016**

Before: O'SCANNLAIN, LEAVY, and CLIFTON, Circuit Judges.

Jorge Antonio Luna-Bautista, a native and citizen of Mexico, petitions 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 protection under the Convention Against Torture ("CAT"). We have

* 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)*.

jurisdiction under 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 the petition for review.

Substantial evidence supports the BIA's determination that Luna-Bautista failed to establish a fear of future persecution on account of a protected ground. *See Parussimova v. Mukasey*, 555 F.3d 734, 740-41 (9th Cir. 2008) (under the REAL ID Act, an applicant must prove a protected ground is at least "one central reason" for persecution). Thus, Luna-Bautista's withholding of removal claim fails. *See Zetino v. Holder*, 622 F.3d 1007, 1015-16 (9th Cir. 2010).

Substantial evidence also supports the BIA's denial of Luna-Bautista's CAT claim because he failed to demonstrate it is more likely than not he would be tortured by or with the consent or acquiescence of a public official in Mexico. *See Silaya*, 524 F.3d at 1073.

PETITION FOR REVIEW DENIED.