FILED

UNITED STATES COURT OF APPEALS

OCT 4 2016

FOR THE NINTH CIRCUIT

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

ZHIHONG AN, Petitioner, v. LORETTA E. LYNCH, Attorney General, Respondent.	No. 13-73943 Agency No. A087-698-549 MEMORANDUM*

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

Submitted September 27, 2016**

Before: TASHIMA, SILVERMAN, and M. SMITH, Circuit Judges.

Zhihong An, a native and citizen of China, petitions pro se 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 protection under the Convention Against Torture. We have

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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).

jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings, applying the standards created by the REAL ID Act. *Ren v. Holder*, 648 F.3d 1079, 1083-84 (9th Cir. 2011). We grant the petition for review and remand.

The BIA affirmed the denial of An's claims based on a failure to corroborate. The agency, however, made its corroboration findings without applying the notice and opportunity to explain requirements set forth in *Ren v. Holder*, relying instead on a Ninth Circuit decision that is no longer good law. *See Oshodi v. Holder*, 671 F.3d 1002 (9th Cir. 2012), *withdrawn by court order*, 678 F.3d 776 (9th Cir. 2012). Thus, we grant An's petition for review, and remand for the agency to reconsider his claims in light of *Ren*, and to consider the impact, if any, of the court's intervening decisions in *Zhi v. Holder*, 751 F.3d 1088 (9th Cir. 2014) and *Bhattarai v. Lynch*, No. 12-74062, 2016 WL 4527559 (9th Cir. Aug. 30, 2016). *See INS v. Ventura*, 537 U.S. 12, 16-18 (2002) (per curiam).

PETITION FOR REVIEW GRANTED; REMANDED.