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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HIRVYN EMERSON RODRIGUEZ-
PEREZ, AKA Hirvyn Rodriguez,

Petitioner,

v.

LORETTA E. LYNCH, Attorney General,

Respondent.

No. 13-70715

Agency No. A073-413-584

MEMORANDUM*

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

Submitted November 10, 2016**
Pasadena, California

Before: SCHROEDER and BYBEE, Circuit Judges, and SMITH,*** Chief District
Judge.

* 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).

*** The Honorable William E. Smith, United States Chief District Judge
the District of Rhode Island, sitting by designation.

Hirvyn Emerson Rodriguez-Perez petitions for review of the Board of Immigration Appeals' denial of deferral of removal under the Convention Against Torture ("CAT"). We deny the petition.

1. We have jurisdiction pursuant to 8 U.S.C. § 1252(a). *See Pechenkov v. Holder*, 705 F.3d 444, 448 (9th Cir. 2012).

2. Nothing in the record compels a conclusion contrary to that of the Immigration Judge. *See* 8 U.S.C. § 1252(b)(4)(B) ("[A]dministrative findings of fact are conclusive unless any reasonable adjudicator would be compelled to conclude to the contrary"); *Garcia-Milian v. Holder*, 755 F.3d 1026, 1031 (9th Cir. 2014). Rodriguez's suggestion that the Immigration Judge failed to give appropriate consideration to evidence that Rodriguez would be beaten or killed upon returning to El Salvador is without merit as the Immigration Judge specifically took such evidence into account. Decision of the Immigration Judge, p.10. Rodriguez's own expert witness opined that, after the gang truce in El Salvador, overall violence, including beatings and killings, has gone down.

The petition for review is **DENIED**.