

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JUL 21 2017

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

MEIHUA ZHANG,

Petitioner,

v.

JEFFERSON B. SESSIONS III, Attorney
General,

Respondent.

No. 13-71279

Agency No. A099-890-060

MEMORANDUM*

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

Submitted June 27, 2017**

Before: THOMAS, Chief Judge, and HAWKINS and McKEOWN, Circuit Judges.

Meihua Zhang, a native and citizen of China, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's ("IJ") decision denying her application for asylum,

* 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).

withholding of removal, and protection under the Convention Against Torture. Our jurisdiction is governed by 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings. *Lai v. Holder*, 773 F.3d 966, 970 (9th Cir. 2014) (citing *Garcia v. Holder*, 749 F.3d 785, 789 (9th Cir. 2014)). We grant the petition for review and remand.

The record compels the conclusion that the IJ did not provide Zhang adequate notice of the corroboration required to supplement her credible testimony and an opportunity to explain the reasonable availability of such evidence. *See Ren v. Holder*, 648 F.3d 1079, 1093 (9th Cir. 2011); *Lai*, 773 F.3d at 975–76 (concluding that reliance on failure to provide corroborating evidence was procedurally improper where applicant never received notice of a need to produce the corroborative evidence identified in the IJ's decision or an opportunity to either produce the evidence or explain its unavailability). We note that the IJ did not have the benefit of *Ren* because it was issued after her decision but before the BIA's decision. We therefore remand for further proceedings consistent with this disposition.

PETITION FOR REVIEW GRANTED and REMANDED.