

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 17 2020

FOR THE NINTH CIRCUIT

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

PEDRO MULUL-TISTA,

Petitioner,

v.

WILLIAM P. BARR, Attorney General,

Respondent.

No. 19-70695

Agency No. A099-652-027

MEMORANDUM*

On Petition for Review of an Order of the
Immigration Judge

Submitted July 14, 2020**

Before: CANBY, FRIEDLAND, and R. NELSON, Circuit Judges.

Pedro Mulul-Tista, a native and citizen of Guatemala, petitions for review of an immigration judge's ("IJ") determination under 8 C.F.R. § 1208.31(a) that he did not have a reasonable fear of persecution or torture in Guatemala and thus is not entitled to relief from his reinstated removal order. We have jurisdiction under 8 U.S.C. § 1252. We review an IJ's negative reasonable fear determination for

* 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).

substantial evidence. *Andrade-Garcia v. Lynch*, 828 F.3d 829, 833 (9th Cir. 2016).

We deny the petition for review.

In his opening brief, Mulul-Tista does not challenge the IJ's determination that he failed to establish a reasonable fear of persecution on account of a protected ground. *See Lopez-Vasquez v. Holder*, 706 F.3d 1072, 1079-80 (9th Cir. 2013) (issues not specifically raised and argued in a party's opening brief are waived).

Substantial evidence supports the IJ's determination that Mulul-Tista failed to demonstrate a reasonable possibility of torture by or with the consent or acquiescence of the government if returned to Guatemala. *See Andrade-Garcia*, 828 F.3d at 836-37.

We reject as unsupported by the record Mulul-Tista's contentions that the IJ applied an incorrect legal standard or otherwise erred in the analysis of his claim.

PETITION FOR REVIEW DENIED.