

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 19 2020

FOR THE NINTH CIRCUIT

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

DAVID VAZQUEZ-FIGUEROA,

Petitioner,

v.

WILLIAM P. BARR, Attorney General,

Respondent.

No. 14-72690

Agency No. A205-052-835

MEMORANDUM*

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

Submitted August 17, 2020**

Before: SCHROEDER, TROTT, and SILVERMAN, Circuit Judges.

David Vazquez-Figueroa, a native and citizen of Mexico, petitions for review of a Board of Immigration Appeals (“BIA”) order dismissing his appeal from an immigration judge’s decision denying his application for protection under the Convention Against Torture (“CAT”).

* 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).

We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency's factual findings. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). We deny the petition for review.

Substantial evidence supports the agency's denial of CAT protection because Vazquez-Figueroa failed to show it is more likely than not he will be tortured by or with the consent or acquiescence of the government if returned to Mexico. *See Mairena v. Barr*, 917 F.3d 1119, 1125-26 (9th Cir. 2019). As noted by the BIA, he bases his case on what has happened to his relatives who drive taxis in Acapulco, Mexico. However, he presented no evidence indicating that he would drive a taxi if he returned to Mexico or that taxi driving would be his only way to make a living. Moreover, being extorted for money does not constitute torture for purposes of CAT protection.

PETITION FOR REVIEW DENIED.