

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 4 2020

FOR THE NINTH CIRCUIT

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

SALVADOR ORTEGA-OROZCO,

No. 15-70022

Petitioner,

Agency No. A096-385-310

v.

MEMORANDUM*

WILLIAM P. BARR, Attorney General,

Respondent.

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

Submitted September 02, 2020**

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

Salvador Ortega-Orozco, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for protection under the Convention Against Torture ("CAT").¹

* 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).

¹ Ortega-Orozco did not meaningfully challenge the IJ's determination that he

We have jurisdiction under 8 U.S.C. § 1252. *Garcia v. Lynch*, 798 F.3d 876, 880 (9th Cir. 2015). We review for substantial evidence the agency’s factual findings. *Zehatye v. Gonzales*, 453 F.3d 1182, 1184-85 (9th Cir. 2006). We review de novo whether a petitioner has been afforded due process. *Ibarra-Flores v. Gonzales*, 439 F.3d 614, 620 (9th Cir. 2006). We deny the petition for review.

The record does not support Ortega-Orozco’s claim that the agency failed to consider relevant country conditions evidence or otherwise failed to review and consider the evidence presented. *See, e.g., Gonzalez-Caraveo v. Sessions*, 882 F.3d 885, 894-95 (9th Cir. 2018) (“There is no indication that the IJ or BIA did not consider all the evidence before them.”).

Substantial evidence supports the agency’s denial of CAT protection because Ortega-Orozco failed to show he will more likely than not 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).

PETITION FOR REVIEW DENIED.

is ineligible for asylum and withholding of removal in his brief to the BIA or in his opening brief. *Barron v. Ashcroft*, 358 F.3d 674, 677-78 (9th Cir. 2004) (the court lacks jurisdiction to review unexhausted claims); *Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues not specifically raised and argued in a party’s opening brief are waived).