

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 4 2021

FOR THE NINTH CIRCUIT

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

XZAN-HANG CAO, AKA Xian-Hang Cao,

No. 17-72192

Petitioner,

Agency No. A208-190-474

v.

ROBERT M. WILKINSON, Acting
Attorney General,

MEMORANDUM*

Respondent.

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

Submitted February 1, 2021**
Honolulu, Hawaii

Before: CLIFTON, R. NELSON, and COLLINS, Circuit Judges.

Xzan-Hang Cao, a native and citizen of China, petitions for review of the Board of Immigration Appeals' ("BIA") denial of his application for asylum. We have jurisdiction under 8 U.S.C. § 1252 and deny the petition for review.

* 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 immigration judge (“IJ”) found Xzan-Hang Cao not credible, and the BIA concluded that the IJ’s finding was not clearly erroneous. Substantial evidence supports the adverse credibility determination based on inconsistencies in Xzan-Hang Cao’s testimony, credible fear interview, and asylum application concerning (i) how many times he was beaten by the police, (ii) whether he received medical attention after being beaten, (iii) whether he heard from the police after being released, and (iv) why his friend did not provide a supporting letter. *See Lizhi Qiu v. Barr*, 944 F.3d 837, 842 (9th Cir. 2019). The record supports the cited inconsistencies. *See Shrestha v. Holder*, 590 F.3d 1034, 1048 (9th Cir. 2010). Xzan-Hang Cao was given an opportunity to explain the inconsistencies but failed to adequately do so. *See Lata v. INS*, 204 F.3d 1241, 1245 (9th Cir. 2000). Therefore, without credible testimony, the BIA properly denied Xzan-Hang Cao’s claims for asylum. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

PETITION DENIED.