

MAR 3 2021

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

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CORALIA DEL CARMEN CORNEJO,

Petitioner,

v.

ROBERT M. WILKINSON,
Acting Attorney General,

Respondent.

No. 19-72929

Agency No. A216-166-778

ORDER

Before: GRABER, CLIFTON, and IKUTA, Circuit Judges.

The memorandum disposition filed November 3, 2020 (Docket Entry No. 34), is amended as follows:

1. On page 1, update caption: Replace “William P. Barr, Attorney General” with “Robert M. Wilkinson, Acting Attorney General”

2. On page 2, first paragraph, line 1: Remove “at least one basis for.”

Substantial evidence supports at least one basis for the IJ’s adverse credibility determination.

with

Substantial evidence supports the IJ’s adverse credibility determination.

3. On page 2, first paragraph, second sentence: Remove second parenthetical.

See Lizhi Qiu v. Barr, 944 F.3d 837, 842 (9th Cir. 2019) (holding that we must uphold an adverse credibility finding if substantial evidence supports even one ground relied upon).

with

See Lizhi Qiu v. Barr, 944 F.3d 837, 842 (9th Cir. 2019).

With the foregoing amendments to the memorandum disposition, Petitioner's Petition for Rehearing En Banc (Docket Entry No. 35) is DENIED. No further petitions for rehearing will be accepted in this case.

FILED

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NOT FOR PUBLICATION

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AMENDED
MEMORANDUM*

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

Argued and Submitted October 26, 2020
Portland, Oregon

Before: GRABER, CLIFTON, and IKUTA, Circuit Judges.

Coralía Del Carmen Cornejo petitions for review of the Board of Immigration Appeals’ (“BIA”) decision affirming the immigration judge’s (“IJ”) denial of asylum and withholding of removal. We deny the petition.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

Substantial evidence supports the IJ's adverse credibility determination. *See Lizhi Qiu v. Barr*, 944 F.3d 837, 842 (9th Cir. 2019). Cornejo's testimony was inconsistent with declarations submitted by her mother and brother. *See Kohli v. Gonzales*, 473 F.3d 1061, 1071 (9th Cir. 2007) (concluding that discrepancies between petitioner's testimony, declaration, and letter of membership substantially supported an adverse credibility finding). The inconsistency is not trivial: whether and when Cornejo and her mother fled their home relates directly to the threats by gang members. *See Chebchoub v. INS*, 257 F.3d 1038, 1043 (9th Cir. 2001) (holding that inconsistencies relating to "the events leading up to [petitioner's] departure and the number of times he was arrested" substantiated an adverse credibility determination), *superseded by statute on other grounds as stated in Shrestha v. Holder*, 590 F.3d 1034, 1046 (9th Cir. 2010). Absent credible testimony, Cornejo's asylum and withholding claims fail. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003). We need not reach Cornejo's other arguments.

PETITION DENIED.