

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 28 2021

FOR THE NINTH CIRCUIT

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

PETRA CABRERA ROCHA, AKA Petra
Rocha Cabrera,

Petitioner,

v.

MERRICK B. GARLAND, Attorney
General,

Respondent.

No. 15-70647

Agency No. A086-986-866

MEMORANDUM*

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

Submitted June 24, 2021**

Before: GRABER, FRIEDLAND, and BENNETT, Circuit Judges.

Petra Cabrera Rocha, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing her appeal from an immigration judge's decision denying her application for asylum, withholding of

* 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).

removal, and protection under the Convention Against Torture.

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.

Cabrera Rocha does not challenge the agency's determination that her criminal history makes her ineligible for asylum and withholding of removal. Substantial evidence supports the agency's denial of deferral of removal under the Convention Against Torture because Cabrera Rocha failed to show that it is more likely than not she will be tortured by or with the consent or acquiescence of the government if returned to Mexico. *Mairena v. Barr*, 917 F.3d 1119, 1125-26 (9th Cir. 2019) (per curiam).

The temporary stay of removal remains in place until issuance of the mandate.

PETITION FOR REVIEW DENIED.