

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 23 2025

FOR THE NINTH CIRCUIT

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

CRISTIAN CARDENAS BOHADA; et al.,

Petitioners,

v.

PAMELA BONDI, Attorney General,

Respondent.

No. 23-3055

Agency Nos.

A240-261-496

A240-261-494

A240-261-495

A240-261-497

MEMORANDUM*

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

Submitted April 22, 2025**

Before: GRABER, H.A. THOMAS, and JOHNSTONE, Circuit Judges.

Cristian Cardenas Bohada and his family, natives and citizens of Colombia, petition pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing their appeal from an immigration judge's decision denying their applications for asylum, and denying adult petitioners' applications for

* 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).

withholding of removal and protection under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency’s factual findings. *Conde Quevedo v. Barr*, 947 F.3d 1238, 1241–42 (9th Cir. 2020). We deny the petition for review.

Substantial evidence supports the agency’s determination that petitioners failed to establish that the harm they experienced or fear was or would be on account of one of their proposed particular social groups. *See Rodriguez-Zuniga v. Garland*, 69 F.4th 1012, 1018 (9th Cir. 2023) (“Because a persecutor’s actual motive is a matter of fact, we review that finding for substantial evidence.” (internal citation omitted)). Because petitioners failed to show any nexus to a protected ground, adult petitioners also failed to satisfy the standard for withholding of removal. *See Barajas-Romero v. Lynch*, 846 F.3d 351, 359–60 (9th Cir. 2017).

We do not address petitioners’ contentions as to the cognizability of their proposed particular social groups or whether their harm constituted persecution because the BIA did not deny relief on these grounds. *See Santiago-Rodriguez v. Holder*, 657 F.3d 820, 829 (9th Cir. 2011) (“In reviewing the decision of the BIA, we consider only the grounds relied upon by that agency.” (citation and internal quotation marks omitted)). Thus, petitioners’ asylum claims, and adult petitioners’ withholding of removal claims, fail.

Substantial evidence supports the agency's denial of CAT protection because adult petitioners failed to show it is more likely than not they would be tortured by or with the consent or acquiescence of the government if they returned to Colombia. *See Garcia-Milian v. Holder*, 755 F.3d 1026, 1033 (9th Cir. 2014) ("torture must be 'inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity'" (internal citation omitted)).

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

PETITION FOR REVIEW DENIED.