

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 21 2025

FOR THE NINTH CIRCUIT

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

JUANA ESMERALDA CASTILLO-
LOPEZ,

Petitioner,

v.

PAMELA BONDI, Attorney General,

Respondent.

No. 24-4018

Agency No.
A206-035-571

MEMORANDUM*

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

Submitted July 17, 2025**
Pasadena, California

Before: WARDLAW, MENDOZA, and JOHNSTONE, Circuit Judges.

Juana Esmeralda Castillo-Lopez (“Castillo”), a native and citizen of El Salvador, petitions for review of a decision by the Board of Immigration Appeals (“BIA”) dismissing an appeal from an order of an Immigration Judge denying

* 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).

asylum.¹ We have jurisdiction under 8 U.S.C. § 1252. “Our review is limited to those grounds explicitly relied upon by the [BIA].” *Diaz-Reynoso v. Barr*, 968 F.3d 1070, 1075 (9th Cir. 2020) (alteration in original) (quoting *Budiono v. Lynch*, 837 F.3d 1042, 1046 (9th Cir. 2016)). We deny the petition.

Substantial evidence supports the agency’s determination that Castillo did not establish that the Salvadoran government is unwilling or unable to protect her from persecution. After Castillo’s nephew was murdered by unidentified assailants, authorities responded to the scene and conducted an investigation, which included a forensic autopsy. That the investigation was unsuccessful does not establish that the Salvadoran government would be unable or unwilling to protect Castillo from gangs. *See Doe v. Holder*, 736 F.3d 871, 878 (9th Cir. 2023) (We have “recognized that unwillingness or inability to control persecutors is not demonstrated simply because the police ultimately were unable to solve a crime or arrest the perpetrators, where the asylum applicant failed to provide the police with sufficiently specific information to permit an investigation or an arrest.”).

Although country-conditions evidence shows widespread gang violence, it also includes government efforts to combat gangs, and therefore does not compel a contrary finding. *Hussain v. Rosen*, 985 F.3d 634, 648 (9th Cir. 2021) (“[T]he

¹ Castillo has abandoned her claims for withholding of removal and protection under the Convention Against Torture.

possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency's finding from being supported by substantial evidence." (quoting *Go v. Holder*, 640 F.3d 1047, 1054 (9th Cir. 2011))).

Castillo offers no other ground to challenge the agency's finding that the Salvadoran government would be unwilling to protect her from the private actors she fears. She therefore failed to demonstrate a well-founded fear of future persecution, which is dispositive to her claim for asylum, and we decline to reach the issues of whether the argument was waived or whether she established membership in a protected group.

PETITION DENIED.²

² The temporary stay of removal remains in place until the mandate issues; the motion to stay removal (Dkt. 2) is thereafter **DENIED AS MOOT**.