

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 14 2025

FOR THE NINTH CIRCUIT

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

FATIMA DEL ROSARIO ALAS
GOMEZ; AXEL ALESSANDRO MONGE
ALAS,

Petitioners,

v.

PAMELA BONDI, Attorney General,

Respondent.

No. 24-3276

Agency Nos.
A220-310-886
A220-310-887

MEMORANDUM*

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

Submitted August 12, 2025**
Pasadena, California

Before: NGUYEN, FORREST, and VANDYKE, Circuit Judges.

Petitioner Fatima Del Rosario Alas Gomez,¹ a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' decision

* 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).

¹ Petitioner also brings claims on behalf of her minor son, who is a beneficiary of his mother's application. *See Sumolang v. Holder*, 723 F.3d 1080, 1083 (9th Cir. 2013); *Ali v. Ashcroft*, 394 F.3d 780, 782 n.1 (9th Cir. 2005).

affirming the denial of her application for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C. § 1252(a), and we deny the petition.

“We ‘review questions of law de novo’ and the agency’s ‘factual findings for substantial evidence.’” *Ruiz-Colmenares v. Garland*, 25 F.4th 742, 748 (9th Cir. 2022) (citation omitted). “[U]nder the highly deferential substantial evidence standard,” *Rodriguez-Zuniga v. Garland*, 69 F.4th 1012, 1016 (9th Cir. 2023), the agency’s findings of fact are “conclusive unless any reasonable adjudicator would be *compelled* to conclude to the contrary,” *Ruiz-Colmenares*, 25 F.4th at 748 (quoting *Zehatye v. Gonzales*, 453 F.3d 1182, 1185 (9th Cir. 2006)).

1. Substantial evidence supports the agency’s denial of Petitioner’s asylum and withholding of removal claims because Petitioner failed to establish that her proposed particular social group (“PSG”)—“immediate family of a Salvadoran individual who opposed or resisted gang norms”—is socially distinct within El Salvadoran society. Petitioner provided no society-specific evidence showing that El Salvadorans perceive such a group as distinct. *See Conde Quevedo v. Barr*, 947 F.3d 1238, 1242 (9th Cir. 2020). And although family is the quintessential PSG, we “do not automatically confer ‘social group’ status on the family” for asylum and withholding of removal purposes. *Jie Lin v. Ashcroft*, 377 F.3d 1014, 1028 (9th Cir. 2004); *see also Rodriguez-Zuniga*, 69 F.4th at 1019–20. Because the petitioner

bears the burden of proving that her proposed PSG is socially distinct, *Nguyen v. Barr*, 983 F.3d 1099, 1103–04 (9th Cir. 2020), Petitioner’s failure to present any country-specific evidence is dispositive of her asylum and withholding of removal claims, *see Reyes v. Lynch*, 842 F.3d 1125, 1138 (9th Cir. 2016).

2. Substantial evidence also supports the agency’s denial of Petitioner’s CAT claim. The evidence does not compel the conclusion that the gang members’ past threats against Petitioner’s husband amounted to torture. *See Ahmed v. Keisler*, 504 F.3d 1183, 1201 (9th Cir. 2007). And Petitioner did not provide evidence beyond speculation that she would suffer torture upon her return to El Salvador. While the county conditions evidence shows generalized corruption and violence in El Salvador, such evidence is insufficient to prove a particularized threat of torture against Petitioner. *See Tzompantzi-Salazar v. Garland*, 32 F.4th 696, 707 (9th Cir. 2022). Nor does the record compel the conclusion that the El Salvadoran government would inflict or acquiesce to Petitioner’s torture, particularly given that Petitioner (and her husband) never reported the gang members’ threats to the government. *See Andrade-Garcia v. Lynch*, 828 F.3d 829, 836 (9th Cir. 2016). Substantial evidence therefore supports the agency’s denial of CAT relief.

PETITION DENIED.