

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 18 2025

FOR THE NINTH CIRCUIT

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

UGOCHUKWU FIDELIS OKORO,

No. 24-3289

Petitioner,

Agency No.
A206-372-916

v.

MEMORANDUM*

PAMELA BONDI, Attorney General,

Respondent.

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

Submitted September 15, 2025**
Pasadena, California

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

Ugochukwu Fidelis Okoro petitions for review of an order from the Board of Immigration Appeals (“BIA”) dismissing his appeal from a decision by an Immigration Judge (“IJ”) denying his requests for withholding of removal and protection under the Convention Against Torture (“CAT”) and ordering his

* 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. We have jurisdiction under 18 U.S.C. § 1252. We deny the petition.

““Where the BIA issues its own decision but relies in part on the immigration judge’s reasoning, we review both decisions.”” *Tzompantzi-Salazar v. Garland*, 32 F.4th 696, 702 (9th Cir. 2022) (quoting *Flores-Lopez v. Holder*, 685 F.3d 857, 861 (9th Cir. 2012)). “We review denials of asylum, withholding of removal, and CAT relief for substantial evidence.” *Flores Molina v. Garland*, 37 F.4th 626, 632 (9th Cir. 2022) (citation modified). Under this standard, “findings of fact are conclusive unless any reasonable adjudicator would be compelled to conclude to the contrary.” *Dong v. Garland*, 50 F.4th 1291, 1296 (9th Cir. 2022) (citation and quotation marks omitted). This court reviews de novo the BIA’s conclusions of law. *Bringas-Rodriguez v. Sessions*, 850 F.3d 1051, 1059 (9th Cir. 2017) (en banc).

1. Substantial evidence supported the agency’s determination that Okoro did not suffer past persecution. “[P]ersecution is an extreme concept involving a severe level of harm that includes actions so severe that they constitute an exigent threat.” 8 C.F.R. § 208.1(e). The IJ found that Okoro had not suffered past persecution because “[he] was not physically harmed in Nigeria during the incidents described He has never been subsequently threatened or had any contact with the decedent’s family.” Even aggregated, the factors identified do not compel a finding of persecution.

2. Substantial evidence supported the agency's determination that Okoro is not more likely than not to face future persecution. To determine a threat of future persecution, "[t]he testimony of the applicant may be sufficient to sustain the applicant's burden without corroboration, but only if the applicant satisfies the trier of fact that the applicant's testimony is credible, is persuasive, and refers to specific facts sufficient to demonstrate that the applicant is a refugee." 8 U.S.C. § 1158(b)(1)(B)(ii); *see* 8 U.S.C. § 1231(b)(3)(C). The IJ found that "[b]eyond respondent's self-serving statements based on multiple hearsay from undisclosed sources, there is simply no evidence that the Nigerian government is a danger to respondent, or anyone else based on their eastern Nigerian birth or Biafran heritage." The IJ further found that the evidence submitted in support "does not describe anything related to a Biafran separatist movement." Even if Okoro's testimony were assumed to have been credible, he did not sustain his burden because the IJ found that it was neither persuasive nor supported by specific facts.

Regarding the threat of future persecution by Chinasa's family, the IJ found "[Okoro] has never been subsequently threatened or had any contact with the decedent's family. There is no evidence that the decedent's family has attempted to harm respondent or any other members of his family other than [his father]." These uncontroverted findings made it reasonable for the agency to conclude Okoro did not more likely than not face a risk of persecution.

3. Substantial evidence supported the agency’s determination that Okoro did not qualify for CAT protections. The IJ concluded that “there is no evidence that the respondent has suffered past torture in Nigeria.” Additionally, the IJ found “internal relocation would be sufficient to protect [Okoro] from any lingering threat of harm from [Chinasa’s] family,” and “there is no evidence of gross, flagrant, or mass violations of human rights in Nigeria [T]here is no evidence that the Nigerian government unlawfully kills persons based on Eastern Nigerian place of birth or Biafran heritage.” Okoro has not identified evidence that compels a different conclusion.

PETITION DENIED.