

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 27 2025

FOR THE NINTH CIRCUIT

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

SAULO DE BRITO
CORREIA; CRISTIANE DE SOUSA
BEZERRA; LIVYA DE SOUSA
BRITO; LETICIA SOUSA,

Petitioners,

v.

PAMELA BONDI, Attorney General,

Respondent.

No. 24-5304

Agency Nos.

A241-015-212

A241-015-225

A241-015-226

A246-839-876

MEMORANDUM*

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

Submitted October 21, 2025**
San Francisco, California

Before: OWENS and BUMATAY, Circuit Judges, and LIBURDI, District
Judge.***

Saulo De Brito Correia, his wife, Christiane De Sousa Bezerra, and their two

* 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).

*** The Honorable Michael T. Liburdi, United States District Judge for
the District of Arizona, sitting by designation.

children, Livya De Sousa Brito and Leticia Sousa, all natives and citizens of Brazil, petition for review of the Board of Immigration Appeals’ (“BIA”) dismissal of their appeal of the Immigration Judge’s (“IJ”) denial of their applications for asylum and withholding of removal. “Whether a particular social group is cognizable is a question of law that we review de novo, although the issue of ‘social distinction . . . is a question of fact that we review for substantial evidence.’” *Aleman-Belloso v. Bondi*, 128 F.4th 1031, 1042–43 (9th Cir. 2024) (internal citations omitted). As the parties are familiar with the facts, we do not recount them here. We deny the petition for review.

1. “An applicant seeking relief based on membership in a particular social group must establish that the group is . . . socially distinct within the society in question.” *Id.* at 1042 (citation and internal quotation marks omitted). Substantial evidence supports the agency’s determination that Petitioners’ proposed particular social group of “people who have denounced the group PCC to the police” is not socially distinct.

Here, De Brito Correia did not publicly denounce PCC. *See Conde Quevedo v. Barr*, 947 F.3d 1238, 1243 (9th Cir. 2020) (holding the proposed particular social group was not socially distinct where petitioner met with the police once). Nor is there any evidence in the record suggesting that Brazilian society, as opposed to the persecutors themselves, viewed Petitioners’ proposed particular

social group as distinct. *See id.* at 1242 (“Recognition of a group is determined by ‘the perception of the society in question, rather than by the perception of the persecutor.’” (citation omitted)).

Unlike in *Henriquez-Rivas v. Holder*, De Brito Correia did not “publicly testif[y]” against members of PCC. 707 F.3d 1081, 1093 (9th Cir. 2013) (en banc) (noting the petitioner had publicly testified against a gang in court, thereby making his “social visibility” apparent). Moreover, Petitioners have not presented evidence of any laws or programs protecting or recognizing the vulnerability of those who denounce PCC to the police. *See id.* at 1092 (noting that the “Salvadoran legislature enacted a special witness protection law in 2006 to protect people who testify against violent criminal elements”).

Accordingly, the agency did not err in concluding Petitioners’ proposed particular social group is not cognizable.

2. “In reviewing the BIA’s decisions, we consider only the grounds relied upon by that agency.” *Garcia v. Wilkinson*, 988 F.3d 1136, 1142 (9th Cir. 2021). Because the BIA did not address the merits of Petitioners’ internal relocation argument, we do not reach this issue.

3. The stay of removal will remain in place until the mandate issues.

PETITION FOR REVIEW DENIED.