

NOT FOR PUBLICATION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

JAIME ANDRES LOPEZ; A. L.-M.; M. A.
L.-M.,

Petitioners,

v.

PAMELA BONDI, Attorney General,

Respondent.

No. 25-47

Agency Nos.

A246-833-756

A246-833-757

A246-833-758

MEMORANDUM*

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

Submitted October 23, 2025**
Pasadena, California

Before: R. NELSON and VANDYKE, Circuit Judges, and COLE, District
Judge.***

Jamie Andres Lopez and his minor children (collectively, “Petitioners”)

* 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 Douglas Russell Cole, United States District Judge for the Southern District of Ohio, sitting by designation.

petition for review of the Board of Immigration Appeals’ (“BIA”) decision denying Petitioners’ applications for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). We have jurisdiction under 8 U.S.C § 1252. We review under the substantial evidence standard. *See Sharma v. Garland*, 9 F.4th 1052, 1060 (9th Cir. 2021). We deny the petition.

1. Substantial evidence does not compel reversing the agency’s determination that Petitioners are not eligible for asylum or withholding of removal. *See Hussein v. Rosen*, 985 F.3d 634, 645–46 (9th Cir. 2021). Substantial evidence supports the BIA’s determination that Petitioners did not experience past persecution. Petitioners provide evidence that dissidents ordered Lopez to leave his work area within twelve hours or “suffer the consequences.” But a single verbal threat, absent actual violence, does not constitute past persecution. *See id.* at 647 (“Unfulfilled threats are very rarely sufficient to rise to the level of persecution.” (citation omitted)).

Nor does substantial evidence compel reversing the agency’s determination that Lopez does not have a well-founded fear of future persecution in Colombia. The administrative record shows that Petitioners have multiple family members who remain in Colombia unmolested by dissidents. *See Sharma*, 9 F.4th at 1066 (“The ongoing safety of family members in the petitioner’s native country undermines a reasonable fear of future persecution.”). Further, Petitioners did not establish that the Colombian government is unable or unwilling to protect them from harm. *See*

Hussain, 985 F.3d at 647. Finally, the BIA reviewed evidence in the administrative record suggesting that Petitioners could relocate within Colombia. *See Melkonian v. Ashcroft*, 320 F.3d 1061, 1069 (9th Cir. 2003) (“The ability of an applicant to relocate” may “be considered by the IJ in determining whether an applicant’s fear is ‘well-founded.’” (citation omitted)). Together, this provides substantial evidence in the administrative record to support the BIA’s determination that Petitioners did not face a well-founded fear of future persecution.

2. Substantial evidence also does not compel reversing the determination that Petitioners are not eligible for CAT relief. Petitioners have not alleged past torture and have not established that their fear of future harm is well-founded, and therefore, they have not demonstrated that it is more likely than not that they will be tortured if they are removed. *See Sharma*, 9 F.4th at 1067 (“Because the BIA could reasonably conclude that Sharma’s past harm did not rise to the level of persecution, it necessarily falls short of the definition of torture.”).¹

PETITION DENIED.

¹ Because we deny their petition, Petitioners’ motion to stay removal, Dkt. 2, is denied.