

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 6 2026

FOR THE NINTH CIRCUIT

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

NORMA CATARINA MATUL-
IXCATCOY; PAULA YOANNA LOPEZ-
MATUL,

Petitioners,

v.

TODD BLANCHE, Acting Attorney
General,

Respondent.

No. 21-1115

Agency Nos.
A209-238-721
A209-238-723

MEMORANDUM*

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

Submitted June 30, 2026**

Before: GOULD, FRIEDLAND, and MENDOZA, Circuit Judges.

Petitioners Norma Catarina Matul-Ixcatcoy and her daughter, Paula Yoanna Lopez-Matul, seek review of the Board of Immigration Appeals' (BIA) dismissal of their appeal from an Immigration Judge's (IJ) decision denying their

* 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).

applications for asylum, withholding of removal, and relief under the Convention Against Torture (CAT). When, as here, the BIA affirms the IJ's decision under *Matter of Burbano*, 20 I. & N. Dec. 872, 874 (B.I.A. 1994), and "does not express any disagreement with the IJ's reasoning or conclusions, we revisit both decisions and treat the IJ's reasons as those of the BIA." *Gutierrez v. Holder*, 662 F.3d 1083, 1086 (9th Cir. 2011). We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition.

1. Substantial evidence supports the agency's determination that Petitioners did not establish the requisite nexus between the harm suffered and a protected ground. The Immigration Judge found that the threats directed at Ms. Matul-Ixcatcoy and the attempted abduction of her daughter were motivated by Mara 18's effort to extort money and punish her refusal to comply with extortion demands, rather than by her race, political opinion, or membership in a particular social group. The BIA affirmed the finding.

Although Ms. Matul-Ixcatcoy testified regarding discrimination she experienced as an Indigenous Guatemalan woman and expressed fear of gang violence in Guatemala, the record does not compel the conclusion that her Indigenous ethnicity, gender, political opinion, or membership in a particular social group was a reason for the threats or attempted abduction. Substantial evidence supports the agency's finding that the gang's objective or motivation was monetary

gain through extortion. *Zetino v. Holder*, 622 F.3d 1007, 1016 (9th Cir. 2010).

Because Petitioners did not establish the required nexus to a protected ground, their asylum and withholding claims fail. *Umana-Escobar v. Garland*, 69 F.4th 544, 551 (9th Cir. 2023) (“A nexus between the harm and a protected ground is a necessary element of asylum and withholding of removal.”).

2. Substantial evidence also supports the agency’s denial of protection under the Convention Against Torture. To qualify for CAT protection, a petitioner must show it is “more likely than not that he or she would be tortured if removed to the proposed country of removal.” 8 C.F.R. § 208.16(c)(2). The IJ found, and the BIA affirmed, that Ms. Matul-Ixcatcoy was ineligible for protection under CAT for two reasons.

First, the IJ found that Ms. Matul-Ixcatcoy was not more likely than not to face torture in Guatemala. Ms. Matul-Ixcatcoy was not subjected to past torture, and she did not establish that the “gangs specifically torture individuals targeted for extortion,” even though she testified generally “about individuals being harmed” and offered evidence of widespread criminality in Guatemala.

Second, the IJ found Ms. Matul-Ixcatcoy was ineligible for protection under CAT because she had not shown it was more likely than not that any torture by Mara 18 would be with the acquiescence of a government official. Ms. Matul-Ixcatcoy has not directed this Court to any relevant and compelling evidence that a

Guatemalan public official who is “aware that torture of the sort feared by the applicant” would nonetheless remain “willfully blind to it.” *Madrigal v. Holder*, 716 F.3d 499, 509 (9th Cir. 2013).

PETITION DENIED.¹

¹ The stay of removal is lifted. *See* Dkt. 12.