

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 23 2026

FOR THE NINTH CIRCUIT

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

MAURICIO VAZQUEZ VELAZQUEZ,

Petitioner,

v.

TODD BLANCHE, Attorney General,

Respondent.

No. 25-6725

Agency No.
A215-952-558

MEMORANDUM*

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

Submitted September 17, 2026**
Portland, Oregon

Before: FRIEDLAND and DE ALBA, Circuit Judges, and LASNIK, District
Judge.***

Petitioner Mauricio Vazquez Velazquez, a native and citizen of Mexico,
seeks review of the Board of Immigration Appeals' ("BIA") dismissal of 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).

*** The Honorable Robert S. Lasnik, United States District Judge for the
Western District of Washington, sitting by designation.

appeal of an immigration judge’s (“IJ”) denial of his applications for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). Petitioner’s claims for relief are based on his fear of violence on account of his status as “childhood arrival removed as [an] adult to Mexico.” We have jurisdiction under 8 U.S.C. § 1252, and we deny the petition.

1. The BIA properly concluded that Petitioner forfeited review of the IJ’s particular social group (“PSG”) determination. In Petitioner’s seven-page appellate brief to the BIA—which counsel prepared—Petitioner solely argued as to the PSG issue that “the [IJ] erred in finding that [Petitioner] did not meet the burden of proof to show objectively that ‘[he] would be persecuted on account of [his] proposed particular social group.’” This statement alone was insufficient to preserve the issue for appeal. Under the mandatory claim-processing rule of 8 U.S.C. § 1252(d)(1), *Shen v. Garland*, 109 F.4th 1144, 1157 (9th Cir. 2024) (citing *Santos-Zacaria v. Garland*, 598 U.S. 411, 416–23 (2023)), “[a] petitioner cannot satisfy the exhaustion requirement by making a general challenge to the IJ’s decision, but, rather, must specify which issues form the basis of the appeal.” *Zara v. Ashcroft*, 383 F.3d 927, 930 (9th Cir. 2004), *abrogated on other grounds by Santos-Zacaria v. Garland*, 598 U.S. 411 (2023). While “[a] petitioner need not use precise legal terminology to exhaust his claim” nor “provide a well developed argument,” the petitioner must put the BIA “sufficiently on notice so that it had an

opportunity to pass on the issue.” *Umana-Escobar v. Garland*, 69 F.4th 544, 550 (9th Cir. 2023) (citation modified).

The IJ articulated several problems with Petitioner’s proposed PSG, yet Petitioner’s brief to the BIA did not set forth any factual or legal basis to contest the problems articulated by the IJ. Thus, Petitioner did not provide sufficient context from which the BIA could have notice of his challenge. *See Bare v. Barr*, 975 F.3d 952, 960 (9th Cir. 2020) (holding that the petitioner’s statement that “the IJ failed to consider the appropriate factors,” where the IJ discussed two out of three factors, was sufficient context to give the BIA notice that the petitioner was challenging the failure to consider the omitted factor); *Garcia v. Lynch*, 786 F.3d 789, 793 (9th Cir. 2015) (holding that although the petitioner “did not spell out in so many words” the issue to the BIA, he articulated “each essential part of the contention” and therefore gave the BIA the opportunity to correct the IJ’s error).

Because Petitioner failed to exhaust his PSG argument, we do not consider it. *Umana-Escobar*, 69 F.4th at 550 (“Exhaustion requires a non-constitutional legal claim to the court on appeal to have first been raised in the administrative proceedings below, and to have been sufficient to put the BIA on notice of what was being challenged.” (quoting *Bare*, 975 F.3d at 960)).

2. The IJ denied Petitioner’s claim for CAT relief, explaining that Petitioner “failed to meet his burden of proof to show that it is more likely than not that he

would be tortured if returned to his home country.” The BIA affirmed that denial, appropriately concluding that Petitioner failed to “meaningfully challenge[] the specific findings and reasoning underlying the [IJ’s] denial of CAT protection.” Petitioner’s brief to our court identifies no error in that assessment by the BIA, so any such argument is forfeited. *Martinez-Serrano v. INS*, 94 F.3d 1256, 1259–60 (9th Cir. 1996).

PETITION DENIED.¹

¹ The motion for a stay of removal (Dkt. No. 3) is denied.