

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 25 2026

FOR THE NINTH CIRCUIT

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

FEDLIN TOUSSAINT,

Petitioner,

v.

TODD BLANCHE, Attorney General,

Respondent.

No. 25-6726

Agency No.
A220-578-072

MEMORANDUM*

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

Submitted September 22, 2026**

Before: OWENS, COLLINS, and SUNG, Circuit Judges.

Fedlin Toussaint, a native and citizen of Haiti, petitions pro se for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") decision denying his applications for asylum, withholding of removal, and protection under the Convention Against Torture

* 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).

(“CAT”). We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence the agency’s factual findings, applying the standards governing adverse credibility determinations under the REAL ID Act. *Shrestha v. Holder*, 590 F.3d 1034, 1039-40 (9th Cir. 2010). We deny the petition for review.

Substantial evidence supports the agency’s adverse credibility determination based on inconsistencies between Toussaint’s testimony, asylum application, declaration, and a magistrate report regarding the extent to which his family’s house was burned and the date of the incident. *See id.* at 1048 (adverse credibility finding reasonable under the totality of the circumstances); *see also Rodriguez-Ramirez v. Garland*, 11 F.4th 1091, 1093 (9th Cir. 2021) (inconsistent testimony regarding a “crucial date concerning the very event upon which a petitioner predicated his claim for asylum,” may support an adverse credibility finding (cleaned up)); *Manes v. Sessions*, 875 F.3d 1261, 1264 (9th Cir. 2017) (inconsistencies between testimony and documentary evidence undermined credibility). Toussaint’s explanations do not compel a contrary conclusion. *See Lata v. INS*, 204 F.3d 1241, 1245 (9th Cir. 2000). In the absence of credible testimony in this case, Toussaint’s asylum claim fails. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

Toussaint does not challenge the BIA’s rejection of alleged interpretation issues, so we do not address it. *See Lopez-Vasquez v. Holder*, 706 F.3d 1072, 1079-

80 (9th Cir. 2013). Toussaint also does not challenge the BIA's denial of his motions for termination or administrative closure, or the BIA's conclusion that he waived review of the IJ's denial of withholding of removal and CAT protection. *See id.*

The motion to stay removal is denied as moot.

PETITION FOR REVIEW DENIED.