NOT FOR PUBLICATION

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SANTOS REGINO RAMOS JERONIMO, Petitioner, v. TODD BLANCHE, Attorney General, Respondent.	No. 21-1016 Agency No. A202-009-625 MEMORANDUM*

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

Submitted October 26, 2026**
Seattle, Washington

Before: M. SMITH, CHRISTEN, and MILLER, Circuit Judges.

Santos Regino Ramos Jeronimo, a native and citizen of Guatemala, petitions for review of the Board of Immigration Appeals' (BIA) order dismissing his appeal of an Immigration Judge's (IJ) decision denying his requests for asylum, withholding of removal, and protection under the Convention Against Torture.

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* 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).

Because the parties are familiar with the facts, we do not recount them here. We have jurisdiction pursuant to 8 U.S.C. § 1252, and we deny the petition.

We review questions of law de novo and factual findings for substantial evidence. *Aleman-Belloso v. Bondi*, 128 F.4th 1031, 1039 (9th Cir. 2024). The agency's determination of a persecutor's motive is a question of fact we review for substantial evidence. *Corpeno-Romero v. Garland*, 120 F.4th 570, 581 (9th Cir. 2024). We review the denial of a continuance for abuse of discretion. *Sandoval-Luna v. Mukasey*, 526 F.3d 1243, 1246 (9th Cir. 2008).

1. The agency did not abuse its discretion by denying a continuance. *See Hui Ran Mu v. Barr*, 936 F.3d 929, 936 (9th Cir. 2019). To assess whether to continue proceedings pending a decision on a petition for a U visa, the agency considers "all relevant factors," but the "primary consideration" is "the likelihood that the alien will receive the pursued collateral relief and that such relief will materially affect the outcome of the removal proceedings." *Matter of L-A-B-R-*, 27 I. & N. Dec. 405, 413–15 (AG 2018). Other relevant factors include a petitioner's "diligence in seeking collateral relief, DHS's position on the motion for continuance, and concerns of administrative efficiency." *Id.* at 415. Here, Ramos Jeronimo requested a continuance orally on the day of his merits hearing and asserted that he "might potentially qualify for a U visa." He had not yet filed his application, nor received a law enforcement certification. To deny the

continuance, the IJ reasonably relied on Ramos Jeronimo's eligibility for a U visa being too speculative. *Singh v. Holder*, 638 F.3d 1264, 1274 (9th Cir. 2011) (holding "the IJ was not required to grant a continuance based on . . . speculations"); *see also Matter of L-A-B-R-*, 27 I. & N. Dec. at 414.

2. Substantial evidence supports the agency's determination that Ramos Jeronimo did not establish a nexus between his claimed persecution and his indigenous race.[1] To establish nexus, Ramos Jeronimo must show that his indigenous race was or would be a motive—either one central reason for asylum, or a reason for withholding—for his persecution. 8 U.S.C. §§ 1158(b)(1)(B)(i), 1231(b)(3)(A); *Garcia v. Wilkinson*, 988 F.3d 1136, 1142–43, 1146 (9th Cir. 2021). The evidence does not compel the conclusion that Ramos Jeronimo was targeted because he was indigenous. Ramos Jeronimo testified that gang members threatened him because they wanted to recruit him, and nothing in the record indicates that Ramos Jeronimo's indigenous race had anything to do with the gang members' recruitment efforts. The lack of nexus to a protected ground disposes of Ramos Jeronimo's asylum and withholding claims. *Riera-Riera v. Lynch*, 841 F.3d 1077, 1081 (9th Cir. 2016).

3. Substantial evidence supports the agency's finding that Ramos Jeronimo

[1] Although Ramos Jeronimo raised additional protected grounds before the agency, his petition for review challenges the agency's decision only with respect to his indigenous race.

failed to establish a likelihood of torture. Ramos Jeronimo did not experience past torture, and the three threats he received did not establish a likelihood that the gang would torture him if he returned to Guatemala. The general country conditions evidence Ramos Jeronimo relies upon similarly fails to establish a particularized risk of torture. *See Tzompantzi-Salazar v. Garland*, 32 F.4th 696, 706–07 (9th Cir. 2022).

PETITION DENIED.