NOT FOR PUBLICATION

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MORIS A. GONZALEZ CENTENO, Petitioner, v. TODD BLANCHE, Attorney General, Respondent.	No. 18-71499 Agency No. A094-172-743 MEMORANDUM[*]

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

Submitted October 27, 2026[**]
Pasadena, California

Before: R. NELSON and H.A. THOMAS, Circuit Judges, and MARTÍNEZ-OLGUÍN, District Judge.[***]

Moris Gonzalez Centeno is a native and citizen of El Salvador. He petitions for review of a decision of the Board of Immigration Appeals ("BIA") dismissing

[*] 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 Araceli Martínez-Olguín, United States District Judge for the Northern District of California, sitting by designation.

his appeal of an Immigration Judge's ("IJ," and, together with the BIA, "the Agency") denial of his application for asylum, withholding of removal, and protection under the Convention Against Torture ("CAT"). We have jurisdiction pursuant to 8 U.S.C. § 1252. We deny the petition.

"Where, as here, the BIA agrees with and incorporates specific findings of the IJ while adding its own reasoning, we review both decisions." *Bhattarai v. Lynch*, 835 F.3d 1037, 1042 (9th Cir. 2016). We review legal questions de novo and the Agency's factual findings for substantial evidence. *Perez-Portillo v. Garland*, 56 F.4th 788, 792 (9th Cir. 2022). Substantial evidence is a "highly deferential" standard under which "we must accept the BIA's factual findings as 'conclusive unless any reasonable adjudicator would be compelled to conclude to the contrary.'" *Salguero Sosa v. Garland*, 55 F.4th 1213, 1217–18 (9th Cir. 2022) (quoting *Nasrallah v. Barr*, 590 U.S. 573, 584 (2020); 8 U.S.C. § 1252(b)(4)(B)).

1. Substantial evidence supports the BIA's conclusion that Gonzalez Centeno did not suffer past persecution. Gonzalez Centeno contends that the five-dollar weekly protection fee he had to pay, the extortion attempts he experienced, being required to transport gang members with weapons and drugs, and Mara Salvatrucha's ("MS-13") threats against his daughter constitute past persecution. But these arguments do not compel the conclusion that these incidents rose to the level of persecution. *See, e.g.*, *Canales-Vargas v. Gonzales*, 441 F.3d 739, 744 (9th

Cir. 2006) (concluding that a petitioner who received written and telephonic threats, but who was never physically harmed, did not experience past persecution).

2. Substantial evidence supports the Agency's conclusion that Gonzalez Centeno failed to show a nexus between his political opinion and any potential future persecution. Gonzalez Centeno contends that he fears future persecution on account of his political opinion because he did not pay the extortion money that MS-13 demanded. But he testified that he was unsure why MS-13 sought to extort him. And he does not identify any evidence in the record that compels the conclusion that his political opinion would be a "central reason" or "a reason" he might be persecuted in the future. 8 U.S.C. §§ 1158(b)(1)(B)(i), 1231(b)(3)(C).

3. Substantial evidence supports the Agency's conclusion that Gonzalez Centeno is not entitled to CAT protection. Gonzalez Centeno argues that he is more likely than not to suffer torture because he was forced to drive gang members carrying weapons and drugs and was threatened and extorted. He also notes that one of his coworkers was killed after speaking out about the Salvadoran government and gangs. But these arguments do not compel the conclusion that Gonzalez Centeno "is more likely than not to" suffer "cruel and inhuman

treatment" in El Salvador. 8 C.F.R. §§ 1208.16(c)(2), 1208.18(a)(2).[1]

PETITION DENIED.[2]

[1] We agree with the government that Gonzalez Centeno did not exhaust his due process claim before the BIA. *See Sola v. Holder*, 720 F.3d 1134, 1135–36 (9th Cir. 2013) (per curiam) (holding that due process claims involving procedural errors that the BIA could have corrected must be exhausted). We further conclude that by failing to meaningfully challenge the Agency's determination that his particular social group ("PSG") was not defined with particularity or socially distinct, Gonzalez Centeno has forfeited these issues and accordingly cannot establish the existence of his asserted PSG. *See Hernandez v. Garland*, 47 F.4th 908, 916 (9th Cir. 2022); *Reyes v. Lynch*, 842 F.3d 1125, 1133 (9th Cir. 2016).

[2] The temporary stay of removal is lifted, and the motion to stay removal, Dkt. No. 9, is denied.