NOT FOR PUBLICATION

FILED

OCT 29 2026

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

BERTA ALICIA ORDONEZ-CARDONA; LLEFRY BALERIANO GREGORIO-ORDONEZ, Petitioners, v. TODD BLANCHE, Attorney General, Respondent.	No. 25-1900 Agency Nos. A216-179-991 A216-179-992 MEMORANDUM*

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

Submitted October 27, 2026**
Seattle, Washington

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

Berta Alicia Ordonez-Cardona and her minor son, both natives and citizens of Guatemala, petition for review of a decision of the Board of Immigration Appeals dismissing their appeal from an immigration judge's order 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).[1] We have jurisdiction under 8 U.S.C. § 1252(a), and we deny the petition.

Where, as here, the Board affirms the immigration judge's decision without opinion, we review the immigration judge's decision as the final agency action. *Pagayon v. Holder*, 675 F.3d 1182, 1188 (9th Cir. 2011) (per curiam). We review legal questions, including claims of due process violations, de novo. *Mohammed v. Gonzales*, 400 F.3d 785, 791–92 (9th Cir. 2005). We review the agency's factual findings for substantial evidence. *Id.* at 791. Under the substantial-evidence standard, the agency's findings of fact are "conclusive unless any reasonable adjudicator would be compelled to conclude to the contrary." 8 U.S.C. § 1252(b)(4)(B).

1. Ordonez-Cardona argues that the Board violated her due process rights by affirming the immigration judge's decision without opinion. Our precedent forecloses that argument. *See Falcon Carriche v. Ashcroft*, 350 F.3d 845, 851 (9th Cir. 2003).

[1] Although Ordonez-Cardona and her minor son both petition for review, Ordonez-Cardona appears to argue only on her own behalf. Ordonez-Cardona's son is a derivative beneficiary of her asylum application, but he also filed separate applications for withholding and CAT relief.

2. Both asylum and withholding of removal require an applicant to show that her past or feared persecution bears a nexus to a protected ground. *Garcia v. Wilkinson*, 988 F.3d 1136, 1143, 1146–47 (9th Cir. 2021). For asylum, a protected ground must be "one central reason," and for withholding of removal, "a reason," for the persecution. *Barajas-Romero v. Lynch*, 846 F.3d 351, 358 (9th Cir. 2017) (quoting 8 U.S.C. §§ 1158(b)(1)(B)(i), 1231(b)(3)(C)) (emphasis omitted).

Ordonez-Cardona claims to fear persecution on account of her Mayan Mam ethnicity. She testified that she feared returning to Guatemala because of confrontations with her former neighbors, a man and a woman who were upset about animals that Ordonez-Cardona kept on her property. The immigration judge determined that this claim was insufficient to establish persecution on account of a protected ground.

Substantial evidence supports the agency's conclusion. Ordonez-Cardona testified that her neighbors, like her, were indigenous Mayan Mam and that they confronted her because of the animals on her property. The evidence therefore would not compel a reasonable adjudicator to conclude that Ordonez-Cardona suffered past harm or faces future harm because of her membership in a particular social group, rather than because of a purely private dispute about the animals. *See Barajas-Romero*, 846 F.3d at 357.

3. Substantial evidence supports the denial of CAT relief. To obtain CAT relief, a petitioner must establish that "it is more likely than not that he or she would be tortured if removed," 8 C.F.R. § 1208.16(c)(2), and that the torture would be "inflicted by, or at the instigation of, or with the consent or acquiescence of, a public official" or other person acting in an official capacity, *id.* § 1208.18(a)(1). No evidence in the record shows that Ordonez-Cardona's dispute with her neighbors had any connection to government officials in Guatemala or that such officials would acquiesce in the torture she fears. Ordonez-Cardona testified that she was not afraid of police in Guatemala, and that she had no knowledge of any collusion between the police and her neighbors. The evidence would not compel a conclusion contrary to that of the agency.

PETITION DENIED.