NOT FOR PUBLICATION

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JORGE MOYANO, Petitioner, v. TODD BLANCHE, Attorney General, Respondent.	No. 25-8121 Agency No. A241-676-504 MEMORANDUM[*]

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

Submitted October 28, 2026[**]
Pasadena, California

Before: WARDLAW, R. NELSON, and H.A. THOMAS, Circuit Judges.

Jorge Emilio Moyano is a native and citizen of Colombia. He petitions for review of a decision of the Board of Immigration Appeals ("BIA") dismissing his appeal of an Immigration Judge's ("IJ") (collectively, the "Agency") denial of his applications for asylum, withholding of removal, and protection under the

[*] 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).

Convention Against Torture ("CAT"). We have jurisdiction under 8 U.S.C. § 1252. We deny the petition.

"[O]ur review 'is limited to the BIA's decision, except to the extent that the IJ's opinion is expressly adopted.'" *Shrestha v. Holder*, 590 F.3d 1034, 1039 (9th Cir. 2010) (quoting *Hosseini v. Gonzales*, 471 F.3d 953, 957 (9th Cir. 2006)). We review de novo the BIA's legal conclusions. *Umana-Escobar v. Garland*, 69 F.4th 544, 550 (9th Cir. 2023). "We review the BIA's factual determinations for substantial evidence, meaning we may reverse only if the evidence compels a conclusion contrary to the BIA's." *Id.*

1. Substantial evidence supports the Agency's determination that Moyano was "the victim of private crime," and that he therefore has not shown that he was or would be persecuted on account of a protected ground for purposes of asylum or withholding of removal. *See Hussain v. Rosen*, 985 F.3d 634, 646 (9th Cir. 2021) ("[A]n applicant must show he was individually targeted on account of a protected ground rather than simply the victim of generalized violence."). As the BIA found, Moyano himself testified that the gang members wanted him to "render services" for the gang by moving boxes filled with weapons and tear gas; this fact supports the Agency's conclusion that general criminal aims motivated Moyano's

persecutors.[1]

2. Substantial evidence supports the Agency's denial of CAT relief. Moyano contends that the Agency ignored his testimony that the police failed to investigate the past incidents of harm he experienced and the country conditions evidence suggesting that the government is unable to stop armed groups. But the IJ considered this evidence. And, as we have held, "a general ineffectiveness on the government's part to investigate and prevent crime will not suffice to show acquiescence" in an individual's torture. *Andrade-Garcia v. Lynch*, 828 F.3d 829, 836 (9th Cir. 2016).

PETITION DENIED.[2]

[1] We lack jurisdiction to consider Moyano's arguments regarding his proposed particular social groups, internal relocation, and the government's ability to protect Moyano, as those were not grounds relied upon by the BIA. *See Garcia v. Wilkinson*, 988 F.3d 1136, 1142 (9th Cir. 2021) ("In reviewing the BIA's decisions, we consider only the grounds relied upon by that agency.").

[2] Moyano's motion to stay removal, Dkt. No. 2, is denied. The temporary stay of removal is lifted.