NOT FOR PUBLICATION

FILED

OCT 30 2026

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MONICA ESMERALDA REYNA BARAJAS; A. C.R.; A. G. C.R.; K. C.R.; S. C.R., Petitioners, v. TODD BLANCHE, Attorney General, Respondent.	No. 26-33 Agency Nos. A226-030-727 A226-030-728 A226-030-732 A226-030-733 A226-030-736 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.

Monica Esmeralda Reyna Barajas and her four children, all natives and citizens of Mexico, petition for review of a Board of Immigration Appeals' order dismissing their appeal of an Immigration Judge's decision 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 protection under the Convention Against Torture. 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.

Where, as here, the BIA cites *Matter of Burbano*, 20 I. & N. Dec. 872, 874 (BIA 1994), we review the decisions of both the Immigration Judge and the BIA. *Cordoba v. Barr*, 962 F.3d 479, 481 (9th Cir. 2020). We review questions of law *de novo* and factual findings, including credibility determinations, for substantial evidence. *Dong v. Garland*, 50 F.4th 1291, 1296 (9th Cir. 2022). "[O]nly the most extraordinary circumstances" justify overturning agency credibility determinations. *Id*. (citation omitted).

1. Barajas contends that substantial evidence does not support the agency's adverse credibility finding, but significant documentary omissions identified by the Immigration Judge show otherwise. "In the context of credibility determinations, the principal danger we associate with omissions [is] last-minute attempts to use new allegations to artificially enhance claims of persecution." *Iman v. Barr*, 972 F.3d 1058, 1068 (9th Cir. 2020) (citing *Silva-Pereira v. Lynch*, 827 F.3d 1176, 1185–86 (9th Cir. 2016); *see also Lai v. Holde*r, 773 F.3d 966, 973 (9th Cir. 2014). "Put differently, omissions are probative of credibility to the extent that later disclosures, if credited, would bolster an earlier, and typically

weaker, asylum application." *Iman,* 972 F.3d at 1068 (citing *Zamanov v. Holder,* 649 F.3d 969, 974 (9th Cir. 2011)).

On direct examination, Barajas testified that the men who had visited her home in Mexico and threatened Petitioners before they fled to the United States returned to Petitioners' home after they fled. Barajas did not include this detail in her application for asylum or her declaration. When the government cross-examined her as to why she had not mentioned this detail sooner, Barajas explained that she had not remembered or seen the importance of it. Barajas' application for asylum and the declaration she submitted in support of it omitted another detail, disclosed only later, that bolstered her application. According to Barajas' application for asylum, three unidentified armed men came to her home and threatened her family. Barajas did not explain until redirect examination how she knew that the men were part of Cartel Jalisco New Generation. She testified on redirect that they wore vests that read "Cartel Jalisco New Generation." When the Immigration Judge asked why she had not mentioned this detail before, Barajas explained again that she had not seen the importance of it nor remembered it. Petitioners do not argue that record evidence rehabilitates Barajas' credibility.

The addition of this previously undisclosed information, which bolstered Petitioners' applications, provides substantial evidence that supports the agency's adverse credibility finding. Petitioners do not argue that without Barajas'

testimony the record provides substantial evidence that supports their claims for asylum, withholding of removal, or protection under the Convention Against Torture. Accordingly, we need not review the BIA's nor the Immigration Judge's merits analyses. *Kalulu v. Bondi*, 128 F.4th 1009, 1023 (9th Cir. 2024).

PETITION DENIED.