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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ERICK GOMEZ-HERNANDEZ, Petitioner, v. TODD BLANCHE, Attorney General, Respondent.	No. 25-5372 Agency No. A206-191-413 MEMORANDUM[*]

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

Submitted October 29, 2026[**]
Seattle, Washington

Before: CHRISTEN and MILLER, Circuit Judges, and SYKES, District Judge.[***]

Erick Gomez-Hernandez, a native and citizen of Guatemala, petitions for review of a Board of Immigration Appeals' order dismissing his appeal of an Immigration Judge's decision denying his applications for asylum, withholding of

[*] 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 Sunshine Suzanne Sykes, United States District Judge for the Central District of California, sitting by designation.

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.

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). Whether a particular social group (PSG) is cognizable is a legal conclusion we review de novo. *Garcia v. Blanche*, 183 F.4th 1067, 1071 (9th Cir. 2026). "[T]he issue of social distinction . . . is a question of fact that we review for substantial evidence." *Aleman-Belloso*, 128 F.4th at 1043 (citation modified).

1. Gomez-Hernandez contends the agency erred by concluding that his eight proposed PSGs are not cognizable because they are not socially distinct. But Gomez-Hernandez does not provide any supporting argument to demonstrate that the evidence compels the conclusion that his PSGs are socially distinct within Guatemalan society. *See Conde Quevedo v. Barr*, 947 F.3d 1238, 1242–43 (9th Cir. 2020). Because Gomez-Hernandez does not meaningfully challenge the agency's determinations as to his PSGs, we deem this argument forfeited. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259 (9th Cir. 1996) ("Issues raised in a brief that are not supported by argument are deemed abandoned."). Gomez-Hernandez's failure to establish the existence of a cognizable PSG forecloses his claims for asylum and withholding. *See Reyes v. Lynch*, 842 F.3d 1125, 1132 &

n.3 (9th Cir. 2016).

2. Gomez-Hernandez argues the agency erred by finding that he failed to show he would "more likely than not be tortured with the consent or acquiescence of a public official if removed to" Guatemala. *Xochihua-Jaimes v. Barr*, 962 F.3d 1175, 1183 (9th Cir. 2020). But Gomez-Hernandez's references to general country conditions do not compel the conclusion that the Guatemalan government would acquiesce in his torture. *B.R. v. Garland*, 26 F.4th 827, 844-45 (9th Cir. 2022). Gomez-Hernandez's failure to establish government acquiescence forecloses his claim for CAT relief.

PETITION DENIED.[1]

[1] The motion to stay removal (Dkts. 3, 8) is DENIED.