

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 17 2026

FOR THE NINTH CIRCUIT

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

NATALIA GOLBAN,

Petitioner,

v.

TODD BLANCHE, Acting Attorney
General,

Respondent.

No. 15-73093

Agency No.
A201-195-275

MEMORANDUM*

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

Argued and Submitted September 3, 2026
San Francisco, California

Before: S.R. THOMAS, GOULD, and BYBEE, Circuit Judges

Natalia Golban, a native of the former Soviet Union and a citizen of the Republic of Moldova petitions for review of a decision of the Board of Immigration Appeals (“BIA”) dismissing an appeal from an order of an Immigration Judge (“IJ”) denying her application for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). “Where,

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

as here, the BIA agrees with the IJ decision and also adds its own reasoning, we review the decision of the BIA and those parts of the IJ’s decision upon which it relies.” *Duran-Rodriguez v. Barr*, 918 F.3d 1025, 1027–28 (9th Cir. 2019). We review factual findings underlying the denial of relief, including adverse credibility determinations, for substantial evidence. *Shrestha v. Holder*, 590 F.3d 1034, 1039 (9th Cir. 2010); *Zhou v. Gonzales*, 437 F.3d 860, 864-65 (9th Cir. 2006). As the parties are familiar with the facts, we do not recount them here. We deny the petition for review.

1. Substantial evidence supports the agency’s denial of asylum and withholding of removal on adverse credibility grounds. In assessing an applicant’s credibility, a trier of fact, considering the totality of the circumstances,

may base a credibility determination on the demeanor, candor, or responsiveness of the applicant or witness, the inherent plausibility of the applicant’s or witness’s account, the consistency between the applicant’s or witness’s written and oral statements . . . the internal consistency of each such statement, the consistency of such statements with other evidence of record . . . and any inaccuracies or falsehoods in such statements, without regard to whether an inconsistency, inaccuracy, or falsehood goes to the heart of the applicant’s claim.

8 U.S.C. § 1158(b)(1)(B)(iii). The agency is required to give “specific and cogent reasons supporting an adverse credibility determination” to assist appellate review.

Shrestha, 590 F.3d at 1042. The REAL ID Act requires a “healthy measure of deference to agency credibility determinations.” *Id.* at 1041. Here, the agency based the adverse credibility finding on Golban’s demeanor, the inherent

implausibility of Golban’s account, and the inconsistencies between Golban’s testimony and other record evidence, specifically a letter from her mother.

The agency provided “a specific cogent reason for the adverse credibility finding,” *Gui v. INS*, 280 F.3d 1217, 1225 (9th Cir. 2002) (citation modified), and the record does not compel a finding of credibility. *See Shrestha*, 590 F.3d at 1041 (noting that “IJs are in the best position to assess demeanor and other credibility cues that we cannot readily access on review”); *Li v. Garland*, 13 F.4th 954, 961 (9th Cir. 2021) (holding that two inconsistencies were supported by substantial evidence and sufficient to support the adverse credibility determination).

2. Golban failed to exhaust her argument that the IJ violated her right to due process by failing to raise it in her appeal to the BIA. Golban’s failure to exhaust these issues before the agency bars our review of these claims. *See* 8 U.S.C. § 1252(d)(1); *Santos-Zacaria v. Garland*, 598 U.S. 411, 416–23 (2023) (holding that 8 U.S.C. § 1252(d)(1)’s exhaustion requirement is not jurisdictional but is a mandatory claim-processing rule if raised by the government).

PETITION DENIED.¹

¹ Golban’s motion to stay removal pending appeal (Dkt. No. 1) is denied.