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U.S. COURT OF APPEALS

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MIGUEL ANGEL RAMIREZ-FIGUEROA, Petitioner, v. ERIC H. HOLDER, Jr., Attorney General of the United States, Respondent.	No. 10-71459 Agency No. A099-625-469 MEMORANDUM[*]

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

Submitted November 5, 2012[**]
Pasadena, California

Before: D.W. NELSON and O'SCANNLAIN, Circuit Judges, and GONZALEZ, District Judge.[***]

[*] This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 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 Irma E. Gonzalez, District Judge for the U.S. District Court for Southern California, sitting by designation.

Miguel Angel Ramirez-Figueroa, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals's (the "Board") order denying his application for asylum, withholding of removal, and protection under the Convention Against Torture ("CAT"). We have jurisdiction under 8 U.S.C. § 1252, review for substantial evidence, *Castro-Martinez v. Holder*, 674 F.3d 1073, 1080 (9th Cir. 2011), and deny the petition for review.

Substantial evidence supports the Board's determination that Ramirez-Figueroa failed to demonstrate that the government of El Salvador was unable or unwilling to protect him from gangs. *See id.*

Because he failed to establish eligibility for asylum, Ramirez-Figueroa necessarily failed to establish eligibility for withholding of removal. *See Pedro-Mateo v. INS*, 224 F.3d 1147, 1150 (9th Cir. 2000). Ramirez-Figueroa's failure to distinctly raise the BIA's denial of CAT relief waives any challenge thereto. *See Barrios v. Holder*, 581 F.3d 849, 856 n.6 (9th Cir. 2009)

PETITION FOR REVIEW DENIED.