

FEB 15 2008

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALBARO LORENZO PARRA,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 07-74109

Agency No. A96-345-883

MEMORANDUM \*

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

Submitted February 11, 2008\*\*

Before: WALLACE, LEAVY and RYMER, Circuit Judges.

This is a petition for review from the Board of Immigration Appeals' ("BIA") decision denying petitioner's motion to reopen. In order to gain protection from removal under the Convention Against Torture, a petitioner must establish

\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

that it is more likely than not that he or she will be tortured upon removal to a given country. *Lanza v. Ashcroft*, 389 F.3d 917, 936 (9th Cir. 2004). Petitioner must show that there is a "particularized threat" of torture in the country to which petitioner will otherwise be removed. *Id.* The BIA did not err in concluding that petitioner did not meet this standard. *See id.*

Accorespondent's motion for summary disposition is granted because the questions raised by this petition for review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). This petition for review is denied.

All other pending motions are denied as moot. The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) and *Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004), shall continue in effect until issuance of the mandate.

**PETITION FOR REVIEW DENIED.**