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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN CARLOS CRUZ-MORENO, Petitioner, v. ERIC H. HOLDER, Jr., Attorney General, Respondent.	No. 07-74184 Agency No. A098-435-490 MEMORANDUM[*]

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

Submitted April 13, 2009[**]

Before: GRABER, GOULD, and BEA, Circuit Judges.

Juan Carlos Cruz-Moreno, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing his appeal from an immigration judge's ("IJ") decision denying his application for asylum

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[*] 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).

KY/Research

and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review for substantial evidence factual findings, *Santos-Lemus v. Mukasey*, 542 F.3d 738, 742 (9th Cir. 2008), and we review de novo due process claims, *Larita-Martinez v. INS*, 220 F.3d 1092, 1095 (9th Cir. 2000). We deny the petition for review.

Substantial evidence supports the BIA's finding that Cruz-Moreno failed to establish past persecution or a well-founded fear of future persecution on account of his membership in a particular social group. *See Santos-Lemus*, 542 F.3d at 744-47 (concluding that the group "young [men] in El Salvador resisting gang violence" is not a particular social group for purposes of asylum). Accordingly, Cruz-Moreno has failed to establish eligibility for asylum or withholding of removal. *See id.* at 748.

We reject Cruz-Moreno's contention that the IJ violated his due process rights by failing to consider relevant evidence because he has not overcome the presumption that the IJ reviewed all the relevant evidence in the file. *See Larita-Martinez*, 220 F.3d at 1095-96.

PETITION FOR REVIEW DENIED.