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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>CHENG-ZHONG GUI,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER Jr., Attorney General,</p> <p>Respondent.</p>
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No. 05-77055

Agency No. A095-301-260

MEMORANDUM\*

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

Submitted July 29, 2009\*\*

Before: WALLACE, LEAVY, and HAWKINS, Circuit Judges.

Cheng-Zhong Gui, a native and citizen of China, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's decision denying his application for withholding of removal. We have

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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).

jurisdiction under 8 U.S.C. § 1252. We review findings of fact for substantial evidence, *Ladha v. INS*, 215 F.3d 889, 896 (9th Cir. 2000), and we deny the petition for review.

Substantial evidence supports the agency's finding that Gui failed to demonstrate a clear probability of persecution on account of his religion affiliation. *See Dinu v. Ashcroft*, 372 F.3d 1041, 1044 (9th Cir. 2004) (requiring a petitioner to show that a criminal investigation had "no bona fide objective" in order to compel a nexus finding). Accordingly, Gui's withholding of removal claim fails.

**PETITION FOR REVIEW DENIED.**