

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING TO A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals
for the Second Circuit, held at the Thurgood Marshall
United States Courthouse, 40 Foley Square, in the City of
New York, on the 22nd day of January, two thousand twenty.

PRESENT:

RICHARD C. WESLEY,
PETER W. HALL,
DENNY CHIN,
Circuit Judges.

KERON PARTAP SINGH,
Petitioner,

v.

WILLIAM P. BARR, UNITED STATES
ATTORNEY GENERAL,
Respondent.

17-3216
NAC

FOR PETITIONER: Richard W. Chen, New York, NY.

FOR RESPONDENT: Joseph H. Hunt, Assistant Attorney
General; Daniel E. Goldman, Senior
Litigation Counsel; Andrea N.
Gevas, Trial Attorney, Office of

1 Immigration Litigation, United
2 States Department of Justice,
3 Washington, DC.

4 UPON DUE CONSIDERATION of this petition for review of a
5 Board of Immigration Appeals ("BIA") decision, it is hereby
6 ORDERED, ADJUDGED, AND DECREED that the petition for review
7 is DENIED.

8 Petitioner Keron Partap Singh, a native and citizen of
9 India, seeks review of a September 11, 2017, decision of the
10 BIA affirming a December 6, 2016, decision of an Immigration
11 Judge ("IJ") denying Singh's application for asylum,
12 withholding of removal, and relief under the Convention
13 Against Torture ("CAT"). *In re Keron Partap Singh*, No. A 206
14 443 224 (B.I.A. Sept. 11, 2017), *aff'g* No. A 206 443 224
15 (Immig. Ct. N.Y. City Dec. 6, 2016). We assume the parties'
16 familiarity with the underlying facts and procedural history
17 in this case.

18 We have reviewed both the BIA's and the IJ's decisions.
19 See *Yun-Zui Guan v. Gonzales*, 432 F.3d 391, 394 (2d Cir.
20 2005). Because the agency made an alternate finding that
21 even assuming credibility, Singh did not establish his
22 eligibility for asylum, and because Singh does not

1 substantively challenge the agency's determination that his
2 past harm did not rise to the level of persecution, our
3 analysis is confined to the agency's finding that assuming
4 credibility, Singh did not establish a well-founded fear of
5 future persecution. See *INS v. Bagamasbad*, 429 U.S. 24, 25
6 (1976) ("As a general rule courts and agencies are not
7 required to make findings on issues the decision of which is
8 unnecessary to the results they reach."); *Norton v. Sam's*
9 *Club*, 145 F.3d 114, 117 (2d Cir. 1998) ("Issues not
10 sufficiently argued in the briefs are considered waived and
11 normally will not be addressed on appeal."). The applicable
12 standards of review are well established. See 8 U.S.C.
13 § 1252(b)(4)(B); *Yanqin Weng v. Holder*, 562 F.3d 510, 513 (2d
14 Cir. 2009).

15 Singh has not challenged the agency's finding that he
16 could internally relocate within India to avoid future
17 persecution. An applicant has not established a well-founded
18 fear of future persecution "if [he] could avoid persecution
19 by relocating to another part of [his] country of nationality
20 . . . if under all the circumstances it would be reasonable
21 to expect [him] to do so." 8 C.F.R. § 1208.13(b)(2)(ii); see

1 also 8 C.F.R. §§ 1208.13(b)(3)(i) (when an applicant has not
2 established past persecution, he has the burden to establish
3 that internal relocation would be unreasonable),
4 1208.16(b)(1)(i)(B), (c)(3)(ii) (applying the same limitation
5 to withholding of removal and CAT relief). An applicant's
6 "ability to relocate safely constitutes a ground, in and of
7 itself, on which an IJ's denial of [relief] may be based."
8 *Steevenez v. Gonzales*, 476 F.3d 114, 117-18 (2d Cir. 2007).
9 Because Singh did not challenge this dispositive finding, he
10 has waived the issue. See *Norton*, 145 F.3d at 117.
11 Additionally, to the extent that Singh argues in his brief
12 that he will be at risk of persecution throughout India, he
13 references only general country conditions, none specific to
14 Sikhs or members of the Shiromani Akali Dal Mann.
15 Accordingly, his argument is insufficient to show that he
16 cannot relocate, because it does not demonstrate that he has
17 a well-founded fear that he would be singled out for harm on
18 a protected ground or that there is a pattern or practice of
19 persecution of Sikhs or the Shiromani Akali Dal Mann. See 8
20 C.F.R. § 1208.13(b)(2); *Lecaj v. Holder*, 616 F.3d 111, 119-
21 20 (2d Cir. 2010) (holding that applicant who fails to meet

1 burden for asylum “necessarily” fails to meet higher burden
2 for withholding of removal and CAT relief).

3 For the foregoing reasons, the petition for review is
4 DENIED. All pending motions and applications are DENIED and
5 stays VACATED.

6 FOR THE COURT:
7 Catherine O’Hagan Wolfe,
8 Clerk of Court