

1 **FOR RESPONDENT:** Brian Boynton, Principal Deputy Assistant
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7 UPON DUE CONSIDERATION of this petition for review of a Board of
8 Immigration Appeals (“BIA”) decision, it is hereby ORDERED, ADJUDGED, AND
9 DECREED that the petition for review is DENIED.

10 Petitioner Karanpal Singh, a native and citizen of India, seeks review of a
11 May 2, 2023 decision of the BIA affirming a July 18, 2019 decision of an
12 Immigration Judge (“IJ”) denying his application for asylum, withholding of
13 removal, and relief under the Convention Against Torture (“CAT”). *In re*
14 *Karanpal Singh*, No. A208 562 570 (B.I.A. May 2, 2023), *aff’g* No. A208 562 570
15 (Immigr. Ct. N.Y.C. July 18, 2019). We assume the parties’ familiarity with the
16 underlying facts and procedural history.

17 We review the IJ’s decision as modified by the BIA and consider only the
18 grounds that the BIA relied on as dispositive of asylum and withholding of
19 removal.* *See Xue Hong Yang v. U.S. Dep’t of Just.*, 426 F.3d 520, 522 (2d Cir. 2005).

* Petitioner has not challenged the denial of his CAT claim.

1 We review the agency’s factual findings under the substantial evidence standard
2 and questions of law and application of law to fact de novo. *See Yanqin Weng v.*
3 *Holder*, 562 F.3d 510, 513 (2d Cir. 2009). “[T]he administrative findings of fact are
4 conclusive unless any reasonable adjudicator would be compelled to conclude to
5 the contrary.” 8 U.S.C. § 1252(b)(4)(B).

6 To establish eligibility for asylum, an applicant must prove that he “suffered
7 past persecution . . . or . . . has a well-founded fear of future persecution.” 8
8 C.F.R. § 1208.13(b). Similarly, an applicant for withholding of removal must
9 establish either past persecution or that he will “more likely than not” be
10 persecuted in the future. *Id.* § 1208.16(b)(1), (2). An applicant for asylum and
11 withholding of removal has the burden to show that “race, religion, nationality,
12 membership in a particular social group, or political opinion was or will be at least
13 one central reason for persecuting the applicant.” 8 U.S.C. § 1158(b)(1)(B)(i); 8
14 C.F.R. § 1208.16(b); *Quituizaca v. Garland*, 52 F.4th 103, 109–14 (2d Cir. 2022)
15 (holding that “one central reason” standard applies to both asylum and
16 withholding). The protected ground “must be at least one of the central reasons,
17 rather than a minor reason, for why that individual is being targeted,” that is, the
18 protected ground “cannot be a minor, incidental, or tangential reason for the

1 harm.” *Garcia-Aranda v. Garland*, 53 F.4th 752, 757 (2d Cir. 2022). “The applicant
2 must . . . show, through direct or circumstantial evidence, that the persecutor’s
3 motive to persecute arises from the applicant’s political belief.” *Yueqing Zhang v.*
4 *Gonzales*, 426 F.3d 540, 545 (2d Cir. 2005).

5 Substantial evidence supports the agency’s conclusion that Singh failed to
6 establish that his support for the Mann Party was at least one central reason for his
7 persecution. *See Edimo-Doualla v. Gonzales*, 464 F.3d 276, 282 (2d Cir. 2006)
8 (reviewing nexus determination for substantial evidence). Singh’s testimony
9 does not establish that he was targeted because of his political beliefs or identity.
10 Singh alleged that the Badal Party generally threatens and attacks people in the
11 manner that he was attacked, but the details he gave of his attacks did not
12 demonstrate that his attackers were threatening him and trying to force him to
13 take drugs because of his support for the Mann Party. His testimony relates only
14 to the nature of the attackers’ political opinion; it does not indicate that Singh was
15 attacked because of his own political opinion or his association with the Mann
16 Party. *See Yueqing Zhang*, 426 F.3d at 545 (“[T]o establish persecution ‘on account
17 of’ political opinion . . . , an asylum applicant must show that the persecution
18 arises from his or her own political opinion.”); *see also INS v. Elias-Zacarias*, 502 U.S.

1 478, 482 (1992) (explaining that “the mere existence of a generalized ‘political’
2 motive underlying the guerrillas’ forced recruitment is inadequate to establish
3 (and, indeed, goes far to refute) the proposition that [a petitioner] fears persecution
4 on account of political opinion”). Singh’s contention that his attackers knew his
5 father was a member of the Mann Party is insufficient to show that his own
6 affiliation with the Mann Party was one central reason for his alleged persecution:
7 he averred that his attackers were trying to get him to use drugs and did not
8 mention the Mann Party during the attack. *See Quintanilla-Mejia v. Garland*, 3
9 F.4th 569, 592 (2d Cir. 2021) (Where “the agency’s conclusion finds support in
10 record evidence, [a petitioner] cannot secure . . . relief by pointing to conflicting
11 evidence that might support—but not compel—a different conclusion.”). The
12 record thus lacks evidence that Singh’s political affiliation or links to the Mann
13 Party was the motive for the attacks. Accordingly, the agency did not err in
14 concluding that he failed to establish that his political opinion was the “one central
15 reason” for the past harm. *See Jian Hui Shao v. Mukasey*, 546 F.3d 138, 157–58 (2d
16 Cir. 2008) (“[W]hen a petitioner bears the burden of proof, his failure to adduce
17 evidence can itself constitute the ‘substantial evidence’ necessary to support the
18 agency’s challenged decision.”).

