

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 18-60651
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
September 11, 2019
Lyle W. Cayce
Clerk

DARIEL ANTONIO ALVARENGA-LOPEZ,

Petitioner,

versus

WILLIAM P. BARR, U.S. Attorney General,

Respondent.

Petition for Review of an Order of
the Board of Immigration Appeals
No. A 206 716 207

Before DAVIS, SMITH, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Daniel Alvarenga-Lopez, a native and citizen of Honduras, petitions for

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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review of the order of the Board of Immigration Appeals (“BIA”) dismissing his appeal of the order of the immigration judge denying his claims for asylum, withholding of removal, and protection under the Convention Against Torture (“CAT”). Reviewing the BIA’s factual findings for substantial evidence and its legal conclusions *de novo*, *Orellana-Monson v. Holder*, 685 F.3d 511, 517–18 (5th Cir. 2012), we deny the petition.

First, with respect to the claim for asylum based on membership in the particular social group (“PSG”) of “young Honduran male witnesses to a serious crime whom the Honduran government is unable or unwilling to protect,” there is no error in the BIA’s determination that the proposed PSG was not cognizable because it failed to satisfy the social distinction and particularity requirements. *See Hernandez-de la Cruz v. Lynch*, 819 F.3d 784, 786–87 (5th Cir. 2016). Second, because Alvarenga-Lopez failed to establish eligibility for asylum, he necessarily failed to meet the higher standard applicable to withholding of removal. *See Orellana-Monson*, 685 F.3d at 518. Third, he fails to demonstrate error in the BIA’s rejection of his claim for CAT relief based on speculation that he would be tortured with the acquiescence of government officials upon his return to Honduras. *See Morales v. Sessions*, 860 F.3d 812, 818 (5th Cir. 2017); *Garcia v. Holder*, 756 F.3d 885, 892 (5th Cir. 2014).

The petition for review is DENIED.