

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1566

LESTENIA ELIZABETH VILLACORTA-SANTA MARIA; K.A.V.,

Petitioners,

v.

MERRICK B. GARLAND, Attorney General,

Respondent.

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

Submitted: June 22, 2023

Decided: June 26, 2023

Before HARRIS and HEYTENS, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

ON BRIEF: Luke A. Frazier, JASKOT LAW, Baltimore, Maryland, for Petitioners. Brian Boynton, Principal Deputy Assistant Attorney General, Civil Division, John S. Hogan, Assistant Director, Deitz P. Lefort, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Petitioners Lestenia Elizabeth Villacorta-Santa Maria, and her minor son, K.A.V., natives and citizens of El Salvador, petition for review of an order of the Board of Immigration Appeals dismissing their appeal from the immigration judge’s oral decision denying Villacorta-Santa Maria’s applications for asylum and withholding of removal.*

We deny the petition for review.

We have considered the parties’ arguments in conjunction with the administrative record and the relevant authorities, including our holding in *Morales v. Garland*, 51 F.4th 553, 556-58 (4th Cir. 2022) (affirming agency’s ruling that petitioner’s advanced particular social group of “Salvadorean women who are witnesses to gang criminal activity and targeted because they filed a police report” failed on both the particularity and social distinction requirements for a cognizable “particular social group”). Having reviewed the issue de novo, *see Morales*, 51 F.4th at 557, we discern no error in the agency’s holding that the particular social group advanced by Villacorta-Santa Maria—“Salvadoran witnesses to gang crime”—was not legally cognizable. Specifically, we agree with the Board that the proposed social group was overly broad in that it encompassed any Salvadoran who witnessed any type of gang crime; thus, we agree that the proposed group

* The record establishes that, on remand from the Board, the immigration judge later granted Villacorta-Santa Maria’s application for relief under the Convention Against Torture. Accordingly, we do not consider the agency’s initial adjudication of that application.

failed to “sharpen the boundary lines” for group inclusion so as to render it sufficiently particular. *Id.*

Accordingly, we deny the petition for review. *See In re Villacorta-Santa Maria* (B.I.A. Apr. 26, 2022). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED