

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals**For the Seventh Circuit
Chicago, Illinois 60604**

Argued June 2, 2026

Decided June 12, 2026

BeforeCANDACE JACKSON-AKIWUMI, *Circuit Judge*JOHN Z. LEE, *Circuit Judge*REBECCA TAIBLESON, *Circuit Judge*

No. 24-1699

JUANA GARCIA RODRIGUEZ, et al.,
*Petitioners,*Petition for Review of an Order of the
Board of Immigration Appeals.*v.*Nos. A206-913-896, A206-913-897,
A206-913-898, A206-913-899TODD W. BLANCHE, Acting Attorney
General of the United States,
*Respondent.*¹**ORDER**

Juana Garcia Rodriguez and three of her children, all Mexican citizens, petition for review of the Board of Immigration Appeals' dismissal of their appeal from an immigration judge's denial of Garcia Rodriguez's applications for asylum and withholding of removal. Garcia Rodriguez argues that the Board incorrectly ruled that she had not established a nexus between a protected ground and past harm. Because

¹ Todd W. Blanche is substituted as the respondent. *See* FED. R. APP. P. 43(c)(2).

substantial evidence supports the Board's conclusion that Garcia Rodriguez did not establish nexus, we deny the petition.

In 2014, the Department of Homeland Security initiated removal proceedings against Garcia Rodriguez and her three foreign-born daughters, charging each of them as inadmissible under 8 U.S.C. § 1182(a)(7)(A)(i)(I) as immigrants who were not in possession of valid entry documents when they applied for admission. Garcia Rodriguez and her daughters conceded the charges of removability and filed applications for asylum, withholding of removal, and protection under the regulations implementing the Convention Against Torture. *See* 8 U.S.C. §§ 1158(b)(1)(A), 1231(b)(3)(A); 8 C.F.R. §§ 1208.16–1208.18. Garcia Rodriguez asserted that she had experienced an attempted kidnapping and an extortion threat in Mexico, and she feared similar harm would befall her or her daughters upon their return. She attributed the harm she had experienced to her membership in two social groups: the Garcia Rodriguez family and workers at the San Jose Catholic Church where she was previously employed.

The immigration judge (IJ) made the following findings of fact, which Garcia Rodriguez does not challenge on appeal. Garcia Rodriguez and three of her daughters were born in Mexico (her fourth daughter was born in the United States). In 2014, while Garcia Rodriguez was living in Hidalgo, Mexico, she was walking home from work when two men in a truck drove slowly by her. One of the men reached out from the door in an attempt to grab her and said something to the effect of “[Y]ou’re coming with us.” She managed to evade the men by running away. Garcia Rodriguez did not know or recognize the men, and she never saw them again.

A little over a month later, Garcia Rodriguez received a phone call from a male voice, which she did not recognize, demanding 150,000 pesos and threatening to kidnap and kill Garcia Rodriguez or her daughters if she did not comply. During the call, the voice identified by name the church where Garcia Rodriguez worked, her daughters, and their school. She suspected that she was targeted for extortion because she was employed at the church and the caller thought she could pay that amount. She did not know whether either of the other two women she worked with received similar threats.

The following month, Garcia Rodriguez received a phone call from the voice of a young girl saying, “[M]ommy, help me.” She did not recognize the voice but, fearing that one day she may receive a similar call from one of her daughters, Garcia Rodriguez decided to leave Mexico with her three children. On November 1, 2014, they left for the United States.

Garcia Rodriguez speculated that the caller demanding payment was affiliated with a cartel or organized crime, but she did not know this for a fact. Based on that fear, she believed she would not be safe anywhere in Mexico. Since these incidents, Garcia Rodriguez has not received any additional threats, and neither she nor her daughters have suffered any physical harm.

The IJ denied the applications, concluding that Garcia Rodriguez had not demonstrated a nexus between the harm she experienced and a protected ground. The IJ reasoned that even if the two social groups (her family and employees of her church) were legally cognizable, she had not submitted any evidence that she was targeted because of her membership in these groups. Instead, the IJ determined, the threats Garcia Rodriguez experienced were apparently motivated by her perceived ability to pay, reflecting a motive of ordinary crime that is insufficient to satisfy the nexus requirement. The IJ also concluded that Garcia Rodriguez had not established that she had suffered past persecution because the past harm she suffered was not sufficiently serious to qualify: She was never physically harmed and the threats she received did not pose an imminent risk of death or grave harm. In the absence of past persecution, she was not entitled to a presumption of a well-founded fear of future persecution. And because her concerns, while subjectively genuine, were based on speculation about organized crime generally, she also failed to establish a well-founded fear of future persecution independent of her past harm. For those reasons, the IJ denied Garcia Rodriguez's asylum application and, for the same reasons, concluded that she had not established eligibility for withholding of removal to Mexico.²

The Board of Immigration Appeals agreed with the IJ's decision and dismissed the appeal. The Board concluded that Garcia Rodriguez had not demonstrated that she was targeted based on her membership in either social group, and it agreed with the IJ that the caller was motivated by furthering a criminal enterprise as opposed to animus toward members of either proposed particular social group. The Board did not reach Garcia Rodriguez's remaining arguments.

Garcia Rodriguez maintains that the Board and the IJ erred in denying her and her children's applications for asylum and withholding of removal. Garcia Rodriguez first maintains that the Board was required to determine whether she had experienced past persecution. But she is incorrect. The Board need not make findings on issues that

² The Board also denied Garcia Rodriguez's claims under the Convention Against Torture; she does not challenge this denial in her petition for review.

are unnecessary if the nexus question is dispositive. *INS v. Bagamasbad*, 429 U.S. 24, 25 (1976); *Diaz Mejia v. Garland*, 74 F.4th 896, 898 (7th Cir. 2023). To establish eligibility for both asylum and withholding of removal, Garcia Rodriguez was required to demonstrate a nexus between her feared future harm and her membership in a particular social group, so the Board's conclusion that she failed to do so was dispositive. See 8 U.S.C. § 1158(b)(1)(A); *Lopez v. Sessions*, 859 F.3d 464, 468 (7th Cir. 2017) (explaining that it was unnecessary to reach petitioner's arguments regarding his proposed social groups because a no-nexus finding was dispositive). Because Garcia Rodriguez failed to show that any past harm was on account of a protected ground, there was no need for the Board to address whether it was sufficiently severe to constitute persecution.

Garcia Rodriguez argues next that the Board erred in finding that there was no nexus to a protected ground. She notes that when she received the extortion call, the caller mentioned personal details related to her family, including her children's names and the name of their school, as well as the fact that she worked at San Jose Catholic Church. These details, she contends, prove that the caller targeted her because of her family or her employment at the church.

We review the Board's nexus determination for substantial evidence, *de Paz-Peraza v. Bondi*, 140 F.4th 390, 394 (7th Cir. 2025), and the agency's finding of fact is conclusive "unless any reasonable adjudicator would be compelled to conclude to the contrary," *Meraz-Saucedo v. Rosen*, 986 F.3d 676, 684 (7th Cir. 2021) (quoting *Nasrallah v. Barr*, 590 U.S. 573, 584 (2020)). Here, substantial evidence supports the Board's conclusion that Garcia Rodriguez failed to establish a nexus to her family or employment. To establish nexus based on family membership, the applicant must prove that "family membership was the motivation for the persecution." *Ferreira v. Barr*, 962 F.3d 331, 337–38 (7th Cir. 2020); see also *Meraz-Saucedo*, 986 F.3d at 685. Garcia Rodriguez makes no argument that the attempted kidnapping was related to either her family or her employment. And as for the extortionist call, Garcia Rodriguez argues that she can establish nexus because the caller identified personal details about her place of work and her daughters' names and school. But the IJ concluded that this evidence was insufficient to demonstrate that the threat was directed at her because of animus toward her family, and the record as a whole does not compel the conclusion that this determination was wrong. See *Casas v. Garland*, 47 F.4th 548, 553 (7th Cir. 2022) (record did not compel a finding of nexus where petitioner could not identify the reason why other family members were targeted).

To establish nexus based on occupation, the applicant must show that the persecutor was motivated by animus against that occupation; this motive must be distinct from the applicant's perceived wealth. *See Granados Arias v. Garland*, 69 F.4th 454, 464–65 (7th Cir. 2023). Substantial evidence supports the Board's decision to dismiss the appeal based on a failure of proof. The record does not compel the conclusion that Garcia Rodriguez established that the extortionists were motivated by animus against employees of her church: Garcia Rodriguez's own testimony suggesting that the extortionist thought she would be able to pay because she worked hard supports the conclusion that the threat was motivated by her perceived wealth.

Finally, Garcia Rodriguez asserts that the Board, in observing that the caller was motivated by general criminality, effectively required Garcia Rodriguez to show that animus based on a protected ground was the caller's sole motive. This, she contends, flouts our precedent that a persecutor may act with mixed motives. But Garcia Rodriguez misinterprets the Board's decision. The Board did not conclude that, because the perpetrator had mixed motives, Garcia Rodriguez could not establish a nexus. Rather, the Board concluded that Garcia Rodriguez "did not establish she was targeted on account of either particular social group," and it added that the caller's criminal motivation was insufficient to satisfy the nexus requirement. In other words, the Board concluded that Garcia Rodriguez's evidence failed to meet her burden of proof. That conclusion is supported by substantial evidence.

We therefore DENY the petition for review.