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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>PIERRE GENEVIER,</p> <p style="text-align: center;">Petitioner - Appellant,</p> <p>v.</p> <p>BRIAN DEMORE, Acting Director of the LA ICE,</p> <p style="text-align: center;">Respondent - Appellee.</p>
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No. 08-55492

D.C. No. 2:08-cv-00881-AG-PLA

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Andrew J. Guilford, District Judge, Presiding

Submitted July 14, 2009**

Before: SCHROEDER, THOMAS, and WARDLAW, Circuit Judges.

Pierre Genevier, a native and citizen of France, appeals pro se from the district court's order dismissing his petition for a writ of habeas corpus. We have

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

jurisdiction under 28 U.S.C. §§ 1291 and 2253(a), *Puri v. Gonzales*, 464 F.3d 1038, 1040 (9th Cir. 2006), and we affirm.

Upon review of the record, we affirm the district court's order dismissing the petition. The district court properly concluded it lacked subject matter jurisdiction. *See* REAL ID Act of 2005, Pub. L. 109-13, § 106(c), 119 Stat. 231, 311 (2005).

Genevier cannot challenge his underlying removal order through review of his habeas petition.

Genevier's pending motions before this Court to supplement the record, stay the appeal, and take judicial notice are denied as moot.

AFFIRMED.