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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PIERRE GENEVIER,

Plaintiff - Appellant,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant - Appellee.

No. 09-57040

D.C. No. 2:08-cv-05681-AG-PLA

MEMORANDUM\*

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

Submitted April 5, 2011\*\*

Before: B. FLETCHER, CLIFTON, and BEA, Circuit Judges.

Pierre Genevier appeals pro se from the district court's summary judgment in his action against the Commissioner of Social Security alleging improper denial of his application for Supplemental Security Income ("SSI"). We have jurisdiction

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

under 28 U.S.C. § 1291. We review de novo the district court’s order affirming the Commissioner’s decision. *Ukolov v. Barnhart*, 420 F.3d 1002, 1004 (9th Cir. 2005). We affirm.

The district court properly granted summary judgment because substantial evidence supported the Commissioner’s determination that Genevier did not establish that he was a “qualified alien” eligible to receive SSI. 8 U.S.C. §§ 1611(a), 1641(b) (an alien who is not a “qualified alien” is generally not eligible for any federal public benefit); *see also* 20 C.F.R. § 416.1618(a), (d) (an alien may be eligible for SSI benefits if permanently residing in the United States with the knowledge and permission of the Immigration and Naturalization Service, which the Commissioner must verify).

Genevier’s remaining contentions are unpersuasive.

**AFFIRMED.**