FILED

MAY 25 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

STEVEN ROBERT YOURKE, Plaintiff - Appellant, v. CITY AND COUNTY OF SAN FRANCISCO; et al., Defendants - Appellees.	No. 10-17368 D.C. No. 3:03-cv-03105-CRB MEMORANDUM[*]

Appeal from the United States District Court
for the Northern District of California
Charles R. Breyer, District Judge, Presiding

Submitted May 15, 2012[**]

Before: CANBY, GRABER, and M. SMITH, Circuit Judges.

Steven Robert Yourke, an attorney, appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging he was illegally strip searched. We have jurisdiction under 28 U.S.C. § 1291. We review de novo.

---

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

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

Lolli v. County of Orange, 351 F.3d 410, 414 (9th Cir. 2003). We affirm.

The district court properly granted defendants summary judgment on Yourke's Fourth Amendment claim because Yourke failed to raise a genuine dispute of material fact as to whether his strip search, or the San Francisco policy authorizing it, was unreasonable. *See Bull v. City & County of San Francisco*, 595 F.3d 964, 982 (9th Cir. 2010) (en banc) ("[W]e conclude that San Francisco's policy requiring strip searches of all arrestees classified for custodial housing in the general population was facially reasonable under the Fourth Amendment, notwithstanding the lack of individualized reasonable suspicion as to the individuals searched."); *see also Florence v. Bd. of Chosen Freeholders of the Cnty. of Burlington*, 132 S. Ct. 1510, 1522-23 (2012) (reasonable suspicion is not required before pre-trial detainees may be subjected to strip searches).

Yourke's contentions concerning California Penal Code § 4030 are unpersuasive.

AFFIRMED.