

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 04-1719

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Susan G. Dewerff,

Appellant,

v.

Social Security Administration;  
Commissioner of Social Security;  
United States Attorney; Attorney  
General of the United States,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of South Dakota.  
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\* [UNPUBLISHED]  
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Submitted: January 27, 2005

Filed: February 9, 2005

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Before BYE, RILEY, and COLLOTON, Circuit Judges.

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PER CURIAM.

Susan Dewerff appeals the district court's<sup>1</sup> order and judgment affirming the suspension of her supplemental security income (SSI) from November 1998 through April 2000, based on a finding that Dewerff had more than \$2,000 in nonexcludable

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<sup>1</sup>The Honorable Lawrence L. Piersol, Chief Judge, United States District Court for the District of South Dakota, adopting the report and recommendations of the Honorable John E. Simko, United States Magistrate Judge for the District of South Dakota.

resources. See 20 C.F.R. § 416.1205 (2004) (disabled individual with no spouse is eligible for SSI only if her nonexcludable resources do not exceed \$2,000).

Having carefully reviewed the record, we conclude the administrative law judge's (ALJ's) decision to deny benefits--based on the ALJ's determination that Dewerff failed to provide credible evidence that she had "spent down" her excess resources below the \$2,000 threshold--is supported by substantial evidence in the record as a whole. See Zeiler v. Barnhart, 384 F.3d 932, 935 (8th Cir. 2004) (appeals court affirms denial of benefits where substantial evidence in record as whole supports ALJ's decision); Gregg v. Barnhart, 354 F.3d 710, 714 (8th Cir. 2003) (if ALJ expressly discredits claimant, and gives good reasons for doing so, court will normally defer to credibility assessment); Hudson v. Bowen, 849 F.2d 433, 434 (9th Cir. 1988) (in calculating whether claimant spent down excess resources for purposes of SSI, ALJ may disregard self-serving statements that cannot be verified).

Accordingly, we affirm.

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