

United States Court of Appeals  
For the Eighth Circuit

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No. 16-2193

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Bhawanee Persaud

*Plaintiff - Appellant*

v.

Carolyn W. Colvin, Acting Commissioner of Social Security

*Defendant - Appellee*

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Appeal from United States District Court  
for the District of Minnesota - Minneapolis

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Submitted: January 4, 2017

Filed: January 9, 2017

[Unpublished]

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Before SHEPHERD, ARNOLD, and KELLY, Circuit Judges.

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PER CURIAM.

Bhawanee Persaud appeals the district court's<sup>1</sup> order upholding an administrative law judge's (ALJ's) decision finding that he no longer qualified for

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<sup>1</sup>The Honorable Leo I. Brisbois, United States Magistrate Judge for the District of Minnesota, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

disability insurance benefits as of January 2004. We agree with the district court that substantial evidence on the record as a whole supports the ALJ's determination that Mr. Persaud's activities at Sungate, Inc., a non-profit human services business he established, amounted to substantial gainful activity under Test Three in the regulation related to the self-employed. See Igo v. Colvin, 839 F.3d 724, 728 (8th Cir. 2016) (de novo review); 20 C.F. R § 404.1575 (a)(2) (2007). The judgment of the district court is affirmed. See 8th Cir. R. 47B.

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