

United States Court of Appeals
For the Eighth Circuit

No. 20-1638

Deverick Scott

Plaintiff - Appellant

v.

Wendy Kelley, Former Director, ADC; Dexter Payne, Director, ADC

Defendants

Rory Griffin, Asst. Director, ADC (originally named as Roy Griffin); Correct Care Solutions

Defendants - Appellees

Cashion, Warden, Varner Supermax Unit; Floyd McHan, "Tony" Asst. Warden,
Varner Supermax Unit

Defendants

Jason Kelly, DHN, Varner Supermax Unit

Defendant - Appellee

Does, All Officers, Varner Unit; Gibson, Warden, VSM Unit

Defendants

Dr. Stringfellow, Dentist, VSM Unit; James Dove, Dentist, VSM Unit (originally named as Drove)

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Pine Bluff

Submitted: October 5, 2020
Filed: October 9, 2020
[Unpublished]

Before GRUENDER, WOLLMAN, and GRASZ, Circuit Judges.

PER CURIAM.

In this 42 U.S.C. § 1983 action, Arkansas inmate Deverick Scott appeals the district court's¹ adverse grant of summary judgment. Upon de novo review, we agree with the district court that defendants were entitled to summary judgment. *See Schoelch v. Mitchell*, 625 F.3d 1041, 1045-46 (8th Cir. 2010) (holding that in reviewing grant of summary judgment, this court construes the evidence in a light most favorable to the nonmovant, drawing all reasonable inferences in his favor); *see also Allard v. Baldwin*, 779 F.3d 768, 771-72 (8th Cir. 2015) (recognizing that to prevail on a deliberate-indifference claim, the inmate must show more than even gross

¹The Honorable Kristine G. Baker, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Jerome T. Kearney, United States Magistrate Judge for the Eastern District of Arkansas.

negligence and demonstrate a mental state akin to criminal negligence: disregarding a known risk to the inmate's health). The judgment is affirmed. *See* 8th Cir. R. 47B.
