

United States Court of Appeals
For the Eighth Circuit

No. 22-3032

Steven C. Hayes

Plaintiff - Appellant

v.

Dr. Thomas Daniel

Defendant - Appellee

Dr. Nannette Vowell; Physician Assistant Sharonda Long; Dr. Larry Davis, D.D.S.;
Dr. Madison Talliaferro, D.D.S.; Nurse Jason Kelley; Dr. Jeffrey Stieve; Rory
Griffin, Deputy Director of Health; Ombudsman Charlotte Gardner; Staff
Psychiatrist Eugene Lee; Staff Psychiatrist Raymond K. Molden; Staff Psychiatrist
Shawn Richard; Stan Wofford, Senior Vice President of Correct Care Solutions
(CCS); Jorge Dominicis, Executive of CCS/WellPath; Gerard “Jerry” Boyle,
Founder of CCS; Nurse Parsons, Wellpath; Mail Room Supervisor Sue Alford,
ADC; Crystal McCoy

Defendants

Appeal from United States District Court
for the Western District of Arkansas - Hot Springs

Submitted: May 30, 2023

Filed: June 2, 2023

[Unpublished]

Before LOKEN, BENTON, and STRAS, Circuit Judges.

PER CURIAM.

In this 42 U.S.C. § 1983 action, Steven C. Hayes appeals the district court's¹ adverse grant of summary judgment. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

This court has reviewed the record de novo, and the parties' arguments on appeal, and finds no basis for reversal. *See Jackson v. Reibold*, 815 F.3d 1114, 1119 (8th Cir. 2016) (standard of review for adverse grant of summary judgment; facts are reviewed in light most favorable to nonmovant, and this court will affirm if record shows there is no genuine issue as to any material fact and moving party is entitled to judgment as matter of law); *Scott v. Benson*, 742 F.3d 335, 339-40 (8th Cir. 2014) (to prove deliberate indifference to a serious medical need, plaintiff must establish that he was diagnosed by a physician as requiring treatment, or that his medical need was so obvious that even a layperson would recognize the necessity for medical attention; and that defendant knew of but deliberately disregarded the serious medical need); *see also Nelson v. Shuffman*, 603 F.3d 439, 449 (8th Cir. 2010) (inmate's mere difference of opinion over matters of expert medical judgment or course of medical treatment does not amount to constitutional violation).

The judgment is affirmed. *See* 8th Cir. R. 47B. The motion to expedite the appeal and grant default judgment is denied as moot.

¹The Honorable Susan O. Hickey, Chief Judge, United States District Court for the Western District of Arkansas, adopting the report and recommendations of the Honorable Mark E. Ford, United States Magistrate Judge for the Western District of Arkansas.