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U.S. COURT OF APPEALS

## NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CHARLES GREGORY REECE,

Plaintiff - Appellant,

v.

ALVARO C. TRAQUINA,

Defendant - Appellee.

No. 14-16574

D.C. No. 2:10-cv-02949-JAM-  
DAD

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
John A. Mendez, District Judge, Presiding

Submitted April 13, 2016\*\*

Before: FARRIS, TALLMAN, and BYBEE, Circuit Judges.

Charles Gregory Reece, a California state prisoner, appeals pro se from the district court's summary judgment in his 42 U.S.C. §1983 action alleging deliberate indifference to his serious medical needs. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Toguchi v. Chung*, 391 F.3d 1051, 1056 (9th

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\* 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).

Cir. 2004). We affirm.

The district court properly granted summary judgment because Reece failed to raise a genuine dispute of material fact as to whether defendant was deliberately indifferent to the treatment of his hypertension. *See id.* at 1057-58 (a prison official is deliberately indifferent only if he or she “knows of and disregards an excessive risk to inmate health” (citation and internal quotation marks omitted)).

**AFFIRMED.**