

JUN 24 2016

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROBERT DALE ALEXANDER,

Plaintiff - Appellant,

v.

MAX WILLIAMS; et al.,

Defendants - Appellees,

And

FRANKE,

Defendant.

No. 15-35181

D.C. No. 2:13-cv-01176-PK

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Oregon  
Michael H. Simon, District Judge, Presiding

Submitted June 14, 2016\*\*

Before: BEA, WATFORD, and FRIEDLAND, Circuit Judges.

Oregon state prisoner Robert Dale Alexander appeals pro se from the district

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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).

court's summary judgment in his 42 U.S.C. § 1983 action alleging that defendants were deliberately indifferent 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 Cir. 2004), and we affirm.

The district court properly granted summary judgment for defendant Gruenwald because Alexander failed to raise a genuine dispute of material fact as to whether Gruenwald was deliberately indifferent to his colitis and proctitis. *See id.* at 1058, 1060 (deliberate indifference is a high legal standard; medical malpractice, negligence, or a difference of opinion concerning the course of treatment does not amount to deliberate indifference.)

We reject as without merit Alexander's contention that the district court failed to consider his evidence.

**AFFIRMED.**