

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

---

No. 04-2370

---

Howard Lee Leach,	*	
	*	
Appellant,	*	
	*	
v.	*	Appeal from the United States
	*	District Court for the
Larry Norris, Director, Arkansas	*	Eastern District of Arkansas
Department of Correction; Marshall	*	
Dale Reed, Warden, Cummins Unit,	*	[UNPUBLISHED]
ADC,	*	
	*	
Appellees,	*	
	*	
Correctional Medical Services,	*	
originally sued as CMS Infirmary	*	
Staff,	*	
	*	
Defendant,	*	
	*	
Young, Dr., Cummins Unit,	*	
ADC; Nelson, RNP, Cummins Unit,	*	
ADC,	*	
	*	
Appellees,	*	
	*	
Shaun Young, Director of	*	
Nursing, Cummins Unit, Arkansas	*	
Department of Correction,	*	
	*	
Defendant.	*	

---

Submitted: May 31, 2005  
Filed: January 18, 2006

---

Before MELLOY, McMILLIAN, and GRUENDER, Circuit Judges.

---

PER CURIAM.

Arkansas inmate Howard Leach appeals from the final judgment entered in the District Court<sup>1</sup> for the Eastern District of Arkansas following an evidentiary hearing on Leach's claims of deliberate indifference to his serious medical needs, and of abdication of policy-making or oversight responsibilities, against prison medical staff and supervisory defendants. See Leach v. Norris, 34 Fed. Appx. 510, 511 (8th Cir. May 15, 2002) (unpublished per curiam). For the reasons that follow, we affirm.

Following careful review, we conclude the evidence established that, although the prison medical staff defendants disagreed with Leach as to the appropriate course of treatment for his breathing problems and a cyst on his side, none of the defendants knew of and disregarded any of Leach's objectively serious medical needs, recommended a job assignment that was hazardous based on their conclusions about Leach's medical needs, or incurred liability as a result of the handling of Leach's grievances. See Choate v. Lockhart, 7 F.3d 1370, 1373 & n.1 (8th Cir. 1993) (standard of review); Long v. Nix, 86 F.3d 761, 765 (8th Cir. 1996) (nothing in Eighth Amendment prevents prison doctors from exercising independent medical judgment); Camberos v. Branstad, 73 F.3d 174, 176 (8th Cir. 1995) (general responsibility for supervising operations of prison is insufficient to establish personal involvement required to support liability).

---

<sup>1</sup>The Honorable Steven M. Reasoner, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable H. David Young, United States Magistrate Judge for the Eastern District of Arkansas.

Accordingly, we affirm. Leach's pending motion is denied.

---