

United States Court of Appeals
For the Eighth Circuit

No. 15-2689

Antonio Demarion Coley

Plaintiff - Appellant

v.

Marybeth Floyd, APN, East Arkansas Regional Unit, ADC; Crystal Sims, LPN, East Arkansas Regional Unit, ADC; Christopher Loe, RN, East Arkansas Regional Unit, ADC; Chiquita Davis, Director of Nursing, East Arkansas Regional Unit, ADC (originally named as Chiketa Davis); Walter Holloway, Infirmery Administrator, East Arkansas Regional Unit, ADC (originally named as Walter Holloway)

Defendants - Appellees

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

Submitted: June 21, 2016

Filed: June 24, 2016

[Unpublished]

Before COLLOTON, GRUENDER, and KELLY, Circuit Judges.

PER CURIAM.

Antonio Coley appeals the district court's¹ adverse grant of summary judgment on his medical deliberate-indifference claim against nurse Marybeth Floyd. Coley also challenges the district court's denials of his motion seeking recusal of the magistrate judge, and his motion to strike a physician's affidavit from the summary judgment record.

To begin, we conclude that the district court did not abuse its discretion in denying either Coley's motion seeking the magistrate judge's recusal, or his motion to strike the affidavit. *See Pope v. Fed. Express Corp.*, 974 F.2d 982, 985 (8th Cir. 1992) (reviewing decision on recusal motion for abuse of discretion); *see also DG & G, Inc. v. FlexSol Packaging Corp. of Pompano Beach*, 576 F.3d 820, 826 (8th Cir. 2009) (district court has broad discretion in permitting supplementation of summary judgment record). As to the grant of summary judgment in favor of Floyd, we conclude upon de novo review of the record that the district court's decision was proper. *See Mason v. Corr. Med. Servs., Inc.*, 559 F.3d 880, 884-85 (8th Cir. 2009) (standard of review); *Dulany v. Carnahan*, 132 F.3d 1234, 1239-40 (8th Cir. 1997) (discussing deliberate-indifference standard in context of medical claims).

Accordingly, we affirm. *See* 8th Cir. R. 47B.

¹The Honorable Kristine G. Baker, 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, now retired.