

United States Court of Appeals
For the Eighth Circuit

No. 17-1429

Tyrone Ellis

Plaintiff - Appellant

v.

Aric Simmons, Advance Practice Nurse, Correct Care Solutions

Defendant - Appellee

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

Submitted: August 15, 2017

Filed: August 17, 2017

[Unpublished]

Before LOKEN, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Arkansas inmate Tyrone Ellis appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action, in which he alleged that defendant Aric Simmons was deliberately indifferent to his serious medical needs. Upon careful de novo review, see Peterson v. Kopp, 754 F.3d 594, 598 (8th Cir. 2014) (standard of review), we conclude that summary judgment was proper because, as explained by the district court, Ellis failed to show that Simmons knew of his medical complaint during the period of delay in treatment. See Fourte v. Faulkner Cty., Ark., 746 F.3d 384, 387 (8th Cir. 2014).

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

¹The Honorable Billy Roy Wilson, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Jerome T. Kearney, United States Magistrate Judge for the Eastern District of Arkansas.