

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 17-2966

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Carl Davis, Jr.

*Plaintiff - Appellant*

v.

Wendy Kelley, Director, Arkansas Department of Correction; Rory Griffin, Assistant Director Health Care Department; Amanda King, Ms., Infirmary Manager, ADC; Wannetta Clowers, Staff Member; Randy Watson, Warden Overseer; Scott Taylor, Captain, Shift Commander Overseer; Sharon Williams, Captain Shift Commander Overseer; Amanda Gray, Staff Member Nurse

*Defendants - Appellees*

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

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Submitted: May 30, 2018

Filed: June 7, 2018

[Unpublished]

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Before SHEPHERD, KELLY, and GRASZ, Circuit Judges.

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PER CURIAM.

Arkansas inmate Carl Davis, Jr. appeals the district court's<sup>1</sup> adverse summary judgment decision in his pro se 42 U.S.C. § 1983 action. Having carefully reviewed the record and the parties' arguments on appeal, we conclude that the district court's decision was proper. See *Dulany v. Carnahan*, 132 F.3d 1234, 1237, 1240-41 (8th Cir. 1997) (de novo standard of review; to prove deliberate indifference to serious medical need, inmate must show that treatment was so inappropriate as to evidence intentional maltreatment or refusal to provide essential care); see also *Jackson v. Riebold*, 815 F.3d 1114, 1119-20 (8th Cir. 2016) (to prevail on claim that delay in medical care constituted cruel and unusual punishment, inmate must place verifying medical evidence in record to establish detrimental effect of delay in medical treatment); *Luckert v. Dodge Cty.*, 684 F.3d 808, 817 (8th Cir. 2012) (officials can be held liable only for their own unconstitutional conduct, or when their corrective inaction amounts to deliberate indifference to or tacit authorization of unconstitutional practices); *Lewis v. Jacks*, 486 F.3d 1026, 1028-29 (8th Cir. 2007) (to prove retaliation claim, inmate must show that retaliation was actual motivating factor for prison official's adverse action).

Accordingly, we affirm the judgment. See 8th Cir. R. 47B. We also deny Davis's motion for appointment of counsel.

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<sup>1</sup>The Honorable Brian S. Miller, Chief Judge, United States District Court for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable J. Thomas Ray, United States Magistrate Judge for the Eastern District of Arkansas.