

United States Court of Appeals
For the Eighth Circuit

No. 18-1440

Dale E. Bryant

Plaintiff - Appellant

v.

Nurse Denham, Correct Care Solutions Pill Nurse

Defendant - Appellee

Appeal from United States District Court
for the Western District of Arkansas - Hot Springs

Submitted: November 27, 2018

Filed: December 11, 2018

[Unpublished]

Before KELLY, GRASZ, and STRAS, Circuit Judges.

PER CURIAM.

Arkansas inmate Dale Bryant appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action against prison nurse Jonathan Denham, in which he alleged Denham was deliberately indifferent to his serious medical needs by delaying administration of injectable anti-nausea and pain medication. After careful de novo review, construing the record in the light most favorable to Bryant and drawing all reasonable inferences therefrom in his favor, *see Cullor v. Baldwin*, 830 F.3d 830, 836 (8th Cir. 2016) (standard of review), we agree with the district court that Bryant did not show Denham was deliberately indifferent to his serious medical needs, *see Popoalii v. Corr. Med. Servs.*, 512 F.3d 488, 499 (8th Cir. 2008) (deliberate indifference is akin to criminal recklessness and demands more than even gross negligence).

Accordingly, we affirm the judgment of the district court. *See* 8th Cir. R. 47B.

¹The Honorable Susan O. Hickey, United States District Judge for the Western District of Arkansas, adopting the report and recommendation of the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas.