

FILED

MAR 31 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WELLINGTON SPENCER COPPESS,

Plaintiff-Appellant,

v.

CHARLES L. RYAN, Director;
RICHARD PRATT, Assistant Director;
CORIZON CORRECTIONAL HEALTH,
INC., named as Corizon Health Inc.;
BENJAMIN SCHMID, Facility Health
Administrator; CORIZON HEALTH,
INC.,

Defendants-Appellees.

No. 20-15295

D.C. No. 4:18-cv-00118-JAS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
James Alan Soto, District Judge, Presiding

Submitted March 30, 2021**

Before: FERNANDEZ, SILVERMAN, and N.R. SMITH, Circuit Judges

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Wellington Spencer Coppess appeals the district's order granting summary judgment in favor of the defendants in his civil rights action alleging deliberate indifference to his Hepatitis C Virus infection. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo, *Toguchi v. Chung*, 391 F.3d 1051, 1056 (9th Cir. 2004), and affirm.

The district court properly granted summary judgment in favor of the defendants. There is no evidence that defendants failed to provide relevant documents. Defendants provided extensive medical treatment records documenting chronic care appointments and lab test results. At most, plaintiff established a difference of opinion between himself and the defendants regarding proper testing and treatment of his chronic infection. Such a difference of opinion does not rise to the level of deliberate indifference. *Id.* at 1058.

AFFIRMED.