

United States Court of Appeals
For the Eighth Circuit

No. 16-3926

Mark Bowers

Plaintiff - Appellant

v.

David A. Mullen, MD, ERDCC; John Williams, MD, MECC; Karl Hardman, RN
BN Health Service Administrator

Defendants

T. Bredeman, Medical Director of Corizon

Defendant - Appellee

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: June 28, 2017

Filed: July 6, 2017

[Unpublished]

Before LOKEN, ARNOLD, and MURPHY, Circuit Judges.

PER CURIAM.

Former Missouri prisoner Mark Bowers appeals following the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action claiming deliberate indifference to his medical needs. After de novo review, see Beaulieu v. Ludeman, 690 F.3d 1017, 1024 (8th Cir. 2012), we affirm. Specifically, we find that neither the denial of a requested orthopedic evaluation, nor the delay in reviewing a subsequent request for evaluation, constituted deliberate indifference to Bowers's serious medical needs. See Holden v. Hirner, 663 F.3d 336, 342 (8th Cir. 2011); Meuir v. Greene Cty. Jail Emps., 487 F.3d 1115, 1118–19 (8th Cir. 2007) (physicians are free to exercise independent medical judgment); Vaughan v. Lacey, 49 F.3d 1344, 1346 (8th Cir. 1995) (mere disagreement, even between physicians, over proper course of treatment is not actionable under Eighth Amendment).

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

¹The Honorable John A. Ross, United States District Judge for the Eastern District of Missouri.