

United States Court of Appeals
For the Eighth Circuit

No. 19-2746

Arthur Thomas Reed

Plaintiff - Appellant

v.

Dr. Mark F. Bradshaw, Individually and Personally, in his capacity as a dentist at E.R.D.C.C.

Defendant - Appellee

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

Submitted: May 5, 2020

Filed: June 5, 2020

[Unpublished]

Before COLLOTON, BEAM, and KOBES, Circuit Judges.

PER CURIAM.

Arthur Reed appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action. Upon careful de novo review, see Marsh v. Phelps

¹The Honorable Catherine D. Perry, United States District Judge for the Eastern District of Missouri.

Cty., 902 F.3d 745, 751 (8th Cir. 2018) (standard of review), we affirm. We find that Reed failed to raise a genuine issue of material fact as to whether defendant Bradshaw was deliberately indifferent to his serious medical need. See Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986) (issue of material fact is “genuine” only if evidence is such that reasonable jury could return verdict for non-moving party); Aswegan v. Henry, 49 F.3d 461, 465 (8th Cir. 1995) (where inmate’s testimony about doctors’ instructions was unsupported by medical records, inmate failed to establish he had objectively serious medical need). We also find that summary judgment was proper on Reed’s retaliation claim. See Lewis v. Jacks, 486 F.3d 1025, 1028 (8th Cir. 2007) (alleged retaliatory action must be such that it would chill person of ordinary firmness from engaging in protected activity).

The judgment is affirmed. See 8th Cir. R. 47B.
