

United States Court of Appeals
For the Eighth Circuit

No. 21-1758

Allaedhin Qandah

Plaintiff - Appellee

v.

St. Charles County

Defendant

Michael McKee, Officer; Jeffery Cast, Officer

Defendants - Appellants

Clinton Graebner, Officer; Jake Gillett, in his individual capacity

Defendants

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

Submitted: April 1, 2022

Filed: June 8, 2022.

[Unpublished]

Before GRUENDER, ERICKSON, and GRASZ, Circuit Judges.

PER CURIAM.

In this interlocutory appeal, St. Charles County Jail (SCCJ) corrections officers Jeffery Cast and Michael McKee appeal the district court's denial of qualified immunity as to former SCCJ detainee Allaedhin Qandah's 42 U.S.C. § 1983 claims. We affirm in part and reverse in part.

We conclude the district court properly denied Cast qualified immunity on Qandah's failure-to-protect claim. *See Brown v. Fortner*, 518 F.3d 552, 558 (8th Cir. 2008) (standard of review); *see also Shannon v. Koehler*, 616 F.3d 855, 861 (8th Cir. 2010) (limiting appellate review of denial of qualified immunity to determining whether conduct, as factually supported under summary judgment standard, violated a plaintiff's clearly established rights). We conclude, however, McKee was entitled to qualified immunity on Qandah's claim that McKee was deliberately indifferent to his medical needs, as the "facts that the district court assumed when it viewed the record in the light most favorable to [Qandah]" do not demonstrate Qandah had a serious medical need or that McKee was aware of such a need and failed to respond reasonably to it. *See McCaster v. Clausen*, 684 F.3d 740, 745-47 (8th Cir. 2012); *cf. Jones v. Minn. Dep't of Corr.*, 512 F.3d 478, 482-83 (8th Cir. 2008).

Accordingly, we affirm the denial of qualified immunity as to Cast, reverse the denial of qualified immunity as to McKee, and remand this case for further proceedings.