

United States Court of Appeals
For the Eighth Circuit

No. 25-3021

Burton James Kettner

Plaintiff - Appellant

v.

Sharron Castleberry, Jail Administrator, Prairie Co. Detention Facility; Rick
Parsons, Sheriff, Prairie Co., Prairie Co. Detention Facility; Rick Hickman,
Former Sheriff, Prairie Co., Prairie Co. Detention Facility; Brad Grady, Former
Administrator, Prairie Co. Detention Facility

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Central

Submitted: September 8, 2026
Filed: September 11, 2026
[Unpublished]

Before KELLY, KOBES, and JUSTIN D. SMITH, Circuit Judges.

PER CURIAM.

Burton Kettner, a former pretrial detainee at the Prairie County Detention Facility, appeals the district court's adverse grant of summary judgment in his pro se

42 U.S.C. § 1983 action alleging deliberate indifference to his serious medical needs. Upon de novo review, we affirm in part and reverse in part. See Christianson v. McLean Cnty., 176 F.4th 1076, 1085 (8th Cir. 2026) (standard of review).

We conclude the grant of summary judgment for defendants Grady and Sheriff Hickman was proper, as Kettner's evidence did not establish that these defendants knew of his serious medical needs during his 2022 detention. See id. at 1083 (to survive summary judgment, detainee had to provide evidence that serious medical need existed and that each defendant knew of and disregarded that need).

We find, however, that Kettner raised genuine issues of material fact as to his claim against Castleberry, as he offered evidence from which a jury could infer that Castleberry knew of his serious medical needs for several weeks but did not provide him a release form or otherwise facilitate treatment, possibly because of his impending transfer. See Dantzler v. Baldwin, 133 F.4th 833, 848-49 (8th Cir. 2025) (stating that delaying medical treatment for non-medical reasons may amount to deliberate indifference, and concluding there was genuine issue of material fact as to whether defendant delayed care due to inmate's possible parole). Kettner also raised a genuine issue of material fact as to his claim against Sheriff Parsons, based on evidence that he sent Parsons two grievances detailing his medical needs. See Moore v. Jackson, 123 F.3d 1082, 1087 (8th Cir. 1997) (per curiam) (reversing grant of summary judgment for prison official where there was fact question as to whether she received inmate's letter requesting dental care). Because Kettner alleged complete denial of treatment rather than a delay, he was not required to furnish medical evidence verifying any detrimental effect of delayed treatment. See Cheeks v. Belmar, 80 F.4th 872, 878-79 (8th Cir. 2023) (distinguishing claim that officers were deliberately indifferent by denying medical aid altogether from claims that officials delayed treatment, and holding that, where no medical aid was provided, plaintiff was not required to demonstrate detrimental effect of lack of aid); Presson v. Reed, 65 F.4th 357, 367 (8th Cir. 2023) (detainee was not required to offer verifying medical

evidence because he alleged withheld treatment or deliberate mistreatment, not delayed treatment). As the district court granted summary judgment on the official-capacity claims because it found that no underlying constitutional violation was established, we reverse on those claims for the district court to consider in the first instance. See Partridge v. City of Benton, 70 F.4th 489, 493 (8th Cir. 2023). Finally, as Kettner is no longer housed at the facility, his claims for injunctive relief are moot. See Martin v. Sargent, 780 F.2d 1334, 1337 (8th Cir. 1985).

Accordingly, we reverse and remand for further proceedings on the individual and official-capacity damages claims against defendants Castleberry and Parsons, and affirm the grant of summary judgment on the remaining claims.
