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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ELONZA JESSE TYLER,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>R. L. ANDREASEN, M.D.; et al.,</p> <p>Defendants - Appellees.</p>

No. 08-17370

D.C. No. 2:06-cv-01883-MCE-
EFB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Morrison C. England, Jr., District Judge, Presiding

Submitted February 16, 2010**

Before: FERNANDEZ, GOULD, and M. SMITH, Circuit Judges.

Elonza Jesse Tyler, a California state prisoner, appeals pro se from the district court's summary judgment for prison medical officials in his 42 U.S.C. § 1983 action alleging deliberate indifference to his medical needs. We have

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo, *Toguchi v. Chung*, 391 F.3d 1051, 1056 (9th Cir. 2004), and we affirm.

The district court properly granted summary judgment because Tyler failed to raise a triable issue as to whether defendants were deliberately indifferent to his medical needs concerning his knees. *See id.* at 1058 (“[T]o prevail on a claim involving choices between alternative courses of treatment, a prisoner must show that the chosen course of treatment was medically unacceptable under the circumstances, and was chosen in conscious disregard of an excessive risk to [the prisoner’s] health.”) (internal quotation marks omitted, alteration in original).

Tyler’s remaining contentions are unpersuasive.

We deny all pending motions.

AFFIRMED.