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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>LEROY WILLIS, Jr.,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p style="text-align: center;">v.</p> <p>STEVE RITTER, Chief Medical Officer; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 08-55640

D.C. No. 3:04-cv-02303-WQH-
JMA

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
William Q. Hayes, District Judge, Presiding

Submitted March 16, 2010**

Before: SCHROEDER, PREGERSON, and RAWLINSON, Circuit Judges.

Leroy Willis, Jr., a California state prisoner, appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging defendants

* 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).

violated the Eighth Amendment by acting with deliberate indifference to his medical needs. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo. *Sanchez v. Vild*, 891 F.2d 240, 241-42 (9th Cir. 1989). We affirm.

The district court properly granted summary judgment on Willis's deliberate indifference claim because there was no genuine issue of material fact as to whether treatment Willis received was medically unacceptable. *See id.* at 242 (recognizing that a difference of opinion about the best course of medical treatment does not amount to deliberate indifference).

Willis's remaining contentions are unpersuasive.

Willis's motion requesting a settlement conference is denied.

AFFIRMED.