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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JAMEL WALKER,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p style="text-align: center;">v.</p> <p>JASON ROHER,</p> <p style="text-align: center;">Defendant - Appellee.</p>

No. 10-16807

D.C. No. 2:08-cv-03034-WBS-KJM

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
William B. Shubb, District Judge, Presiding

Submitted September 27, 2011**

Before: SILVERMAN, W. FLETCHER, and MURGUIA, Circuit Judges.

Jamel Walker, a California state prisoner, appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging deliberate indifference to his serious medical needs. We have jurisdiction under 28 U.S.C.

* 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).

§ 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 on Walker's Eighth Amendment claim because Walker failed to raise a genuine dispute of material fact as to whether Roher's treatment of his hip injury constituted deliberate indifference. *See id.* at 1058 (a prison official acts with deliberate indifference only if he knows of and disregards an excessive risk to inmate health, and a difference of opinion concerning the appropriate course of treatment does not amount to deliberate indifference).

Walker's remaining contentions are unpersuasive.

AFFIRMED.