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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>DYKE EDWARD NELSON,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>ALEX ZIGA, Psychiatrist,</p> <p>Defendant - Appellee.</p>

No. 13-17414

D.C. No. 2:10-cv-02156-MCE-JFM

MEMORANDUM*

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

Submitted October 14, 2014**

Before: LEAVY, GOULD, and BERZON, Circuit Judges.

Dyke Edward Nelson, 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. § 1291. We review de novo. *Toguchi v. Chung*, 391 F.3d 1051, 1056 (9th

* 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)*.

Cir. 2004). We affirm.

The district court properly granted summary judgment because Nelson failed to raise a genuine dispute of material fact as to whether defendant Ziga was deliberately indifferent in treating Nelson's serious psychiatric needs. *See id.* at 1057-58, 1060 (deliberate indifference is a high legal standard; medical malpractice, negligence, a difference of medical opinion, or a prisoner's difference of opinion with the physician regarding the course of treatment is not sufficient).

The district court did not abuse its discretion by denying Nelson's motion for reconsideration because Nelson failed to identify any grounds for relief. *See Sch. Dist. No. 1J, Multnomah Cnty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth standard of review and grounds for reconsideration).

AFFIRMED.