

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 18 2019

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ANTHONY A. STRINGER,

Plaintiff-Appellant,

v.

LINCOLN COUNTY JAIL; et al.,

Defendants-Appellees.

No. 18-35783

D.C. No. 6:16-cv-01428-MO

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Michael W. Mosman, District Judge, Presiding

Submitted December 11, 2019**

Before: WALLACE, CANBY, and TASHIMA, Circuit Judges.

Anthony A. Stringer appeals pro se from the district court's summary judgment in his 42 U.S.C. § 1983 action alleging inadequate medical care while he was a pretrial detainee. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Gordon v. County of Orange*, 888 F.3d 1118, 1122 (9th Cir. 2018). We

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

may affirm on any basis supported by the record. *Kohler v. Bed Bath & Beyond, LLC*, 780 F.3d 1260, 1263 (9th Cir. 2015). We affirm.

The district court properly granted summary judgment for defendant Tam because Stringer failed to raise a genuine dispute of material fact as to whether Tam’s conduct in providing medical care to Stringer was objectively unreasonable. *See Gordon*, 888 F.3d at 1124-25 (setting forth objective deliberate indifference standard for Fourteenth Amendment inadequate medical care claims brought by pretrial detainees).

Summary judgment for defendant Lincoln County Jail was proper because Stringer failed to raise a genuine dispute of material fact as to whether a policy or custom caused him to suffer constitutional injuries. *See Castro v. County of Los Angeles*, 833 F.3d 1060, 1073-76 (9th Cir. 2016) (en banc) (discussing requirements to establish municipal liability under *Monell v. Department of Social Services*, 436 U.S. 658 (1978)).

We do not consider documents not presented to the district court. *See United States v. Elias*, 921 F.2d 870, 874 (9th Cir. 1990) (“Documents or facts not presented to the district court are not part of the record on appeal.”).

Stringer’s motion to file a supplemental brief (Docket Entry No. 20) is granted. The Clerk shall file the supplemental brief submitted at Docket Entry No. 18. Stringer’s request for appointment of an expert witness in video forensics,

set forth in his opening and supplemental briefs, is denied.

AFFIRMED.