

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 30 2021

FOR THE NINTH CIRCUIT

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

WOODIE LEO WILLIAMS, Jr.,

No. 20-17274

Plaintiff-Appellant,

D.C. No. 2:19-cv-04456-JAT-MTM

v.

MEMORANDUM*

CHARLES L. RYAN, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Arizona

James A. Teilborg, District Judge, Presiding

Submitted June 21, 2021**

Before: SILVERMAN, WATFORD, and BENNETT, Circuit Judges.

Arizona state prisoner Woodie Leo Williams, Jr. 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 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).

Cir. 2004), and we affirm.

The district court properly granted summary judgment because Williams failed to raise a genuine dispute of material fact as to whether defendant Nicole Schaffer was deliberately indifferent to the wound on his leg. *See id.* at 1057-60 (a prison official acts with deliberate indifference only if he or she knows of and disregards an excessive risk to the prisoner's health; negligence and a mere difference in medical opinion are insufficient); *Hallett v. Morgan*, 296 F.3d 732, 745-46 (9th Cir. 2002) (a delay in medical treatment does not constitute deliberate indifference unless the delay led to significant injury).

We reject as without merit Williams's contention that defendant's answering brief was untimely.

We do not consider arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.