

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 20 2021

FOR THE NINTH CIRCUIT

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

ROBERT LEE STEWART, Jr.,

No. 21-15061

Plaintiff-Appellant,

D.C. No. 2:20-cv-00979-SPL-ESW

v.

MEMORANDUM*

MARICOPA COUNTY JAIL; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Arizona
Steven Paul Logan, District Judge, Presiding

Submitted October 12, 2021**

Before: TALLMAN, RAWLINSON, and BUMATAY, Circuit Judges.

Arizona state prisoner Robert Lee Stewart, Jr. appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging inadequate medical care and conditions-of-confinement claims arising from his pretrial detention. We have jurisdiction under 28 U.S.C. § 1291. We review de

* 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).

novo the district court's dismissal under 28 U.S.C. § 1915A. *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000). We affirm.

The district court properly dismissed Stewart's action because Stewart failed to allege facts sufficient to state a plausible claim. *See Gordon v. County of Orange*, 888 F.3d 1118, 1122, 1125 (9th Cir. 2018) (setting forth objective deliberate indifference standard for Fourteenth Amendment inadequate medical care and conditions-of-confinement claims brought by pretrial detainees); *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)); *Hebbe v. Pliler*, 627 F.3d 338, 341-42 (9th Cir. 2010) (although pro se pleadings are liberally construed, a plaintiff must allege facts sufficient to state a plausible claim).

Stewart's motion for a response from the court (Docket Entry No. 11) is denied.

AFFIRMED.