

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 25 2022

FOR THE NINTH CIRCUIT

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

DEMETRIUS A. WILSON, AKA Demetrius
Antwon Wilson,

No. 21-15583

Plaintiff-Appellant,

D.C. No. 4:19-cv-00257-RCC

v.

MEMORANDUM*

JEFFREY ALVAREZ, Director of C.H.S.
Medical at Maricopa County, individual and
official capacity; MARICOPA COUNTY,
Maricopa County Hospital/Jail; KAROLE
DAVIS, Surgeon at Maricopa County
Hospital, individual and official capacity;
ERIC THOMAS, Surgeon at Maricopa
County Hospital, individual and official
capacity; ANUPAMA BALAJI, Medical
Provider at Maricopa County Jail, individual
and official capacity; JOSEPH M. ARPAIO,
Sheriff over Maricopa County Jail, individual
and official capacity; LAYLA SHANAH,
Surgeon at Maricopa County Hospital,
individual and official capacity; MEREDITH
HEBERER, Surgeon at Maricopa County
Hospital, individual and official capacity;
MARGARET SALAS, Provider at A.D.O.C.
Tucson/Manzanita, individual and official
capacity; NATALIE BELL, Provider at
A.D.O.C. Tucson/Rincon, individual and
official capacity; ALICE WARREN,
Provider at A.D.O.C. Tucson/Whetstone,

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

individual and official capacity; MARICOPA COUNTY HOSPITAL, Institution, Maricopa County Hospital Integrated Health System; STATE OF ARIZONA, Institution of Arizona; SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY, Court/Judge, Institution; MARICOPA CORRECTIONAL HEALTH SERVICE ADMINISTRATION, Maricopa Correctional Health Service Administration, Institution, Maricopa County Jail; ARIZONA DEPARTMENT OF CORRECTION CORIZON HEALTH, Institution; CORIZON MEDICAL, Institution, Corizon Medical A.D.O.C.; MARICOPA COUNTY JAIL, Institution; CHARLES RYAN, Director of A.D.O.C., individual and official capacity; TRACY NOLAN, Corizon Administration Institution, Arizona department Corrections, individual and official capacity; KAREY WITTY, Corizon Administration Institution, Arizona department Corrections, individual and official capacity; B. ANDERSON FLATT, Corizon Administration Institution, Arizona department Corrections, individual and official capacity; AYODEJI LADELE, Regional Medical Director for Corizon, individual and official capacity; SALAZAR, Doctor, Tucson Corizon, individual and official capacity; DAVID SHINN, Director, in his official capacity only,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Arizona
Raner C. Collins, District Judge, Presiding

Submitted February 15, 2022**
San Francisco, California

Before: FERNANDEZ, TASHIMA, and FRIEDLAND, Circuit Judges.

Arizona state prisoner Demetrius A. Wilson 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 Cir. 2004). We affirm.

The district court properly granted summary judgment because Wilson failed to raise a genuine dispute of material fact as to whether defendants were deliberately indifferent to his serious medical needs. *See id.* at 1060-61 (holding deliberate indifference is a high legal standard requiring a defendant be aware of and disregard an excessive risk to an inmate's health).

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

All pending requests are denied.

AFFIRMED.

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