

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 10-2150

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Donroy Merrival, Jr.

Appellant,

v.

Demetri Marlowe; Peggy Williams;  
Captain Wagner; Major Steven  
Dolozal; David Walz,

Appellees.

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Appeal from the United States  
District Court for the Southern  
District of Iowa.

[UNPUBLISHED]

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Submitted: September 16, 2010  
Filed: September 24, 2010

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Before WOLLMAN, MELLOY, and GRUENDER, Circuit Judges.

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PER CURIAM.

Iowa inmate Donroy Merrival, Jr., appeals the district court's<sup>1</sup> adverse grant of summary judgment in his suit under 42 U.S.C. § 1983 alleging deliberate indifference to his serious medical needs. Following careful de novo review of the record, and viewing the record in the light most favorable to Merrival, see Franklin v. Local 2 of

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<sup>1</sup>The Honorable Ross A. Walters, United States Magistrate Judge for the Southern District of Iowa, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

the Sheet Metal Workers Int'l Ass'n, 565 F.3d 508, 520 (8th Cir. 2009) (standard of review), we agree with the district court that Merrival failed to establish a triable issue of material fact and that judgment was warranted as a matter of law, for the reasons explained in the court's thorough opinion.

Accordingly, we affirm. See 8th Cir. R. 47B.

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