

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 12-1944

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David B. Washington

*Plaintiff - Appellant*

v.

City of University City, a Municipal body politic; Unknown Haftarczyk, Individually and as Lieutenant of the Police Department of the City of University City, Missouri; Benjamin Guittar, Individually and as Police Office of the City of University City, Missouri Police Department; Jean Burks, Individually and as Police Office of the University City, Missouri Police Department; Barnard Zinn, an Individual

*Defendants - Appellees*

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Appeal from United States District Court  
for the Eastern District of Missouri - St. Louis

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Submitted: March 27, 2013

Filed: March 29, 2013

[Unpublished]

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Before BYE, ARNOLD, and SHEPHERD, Circuit Judges.

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PER CURIAM.

David B. Washington appeals the district court's<sup>1</sup> adverse grant of summary judgment in his 42 U.S.C. § 1983 action. Upon de novo review of the record, see Veatch v. Bartels Lutheran Home, 627 F.3d 1254, 1257 (8th Cir. 2010), we conclude that there is no basis for reversal.<sup>2</sup> Specifically, we find no trialworthy issues over whether the actions of Lieutenant Haftarczyk and Officer Jean Burks were objectively reasonable, see Collins v. Bellinghausen, 153 F.3d 591, 596 (8th Cir. 1998) (where constitutional claim arose from defendants' participation in initiation of emergency commitment proceedings, inquiry "generally turns on the objective reasonableness of the action"), or over whether Officer Benjamin Guittar was deliberately indifferent to Washington's serious medical needs, see Carpenter v. Gage, 686 F.3d 644, 650 (8th Cir. 2012) (analysis of deliberate-indifference claim brought by arrestee is same as claim brought by inmate), cert. denied, 133 S. Ct. 955 (2013); Laughlin v. Schriro, 430 F.3d 927, 929 (8th Cir. 2005) (claim of delay in treatment requires showing of detrimental effect of delay). The judgment of the district court is affirmed.

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<sup>1</sup>The Honorable Henry E. Autrey, United States District Judge for the Eastern District of Missouri.

<sup>2</sup>We have carefully reviewed Washington's arguments for reversal, but we decline to consider new claims, arguments, or allegations, see Stone v. Harry, 364 F.3d 912, 914-15 (8th Cir. 2004); and we review only the record that was before the district court when the summary judgment ruling was made, see Maxa v. John Alden Life Ins. Co., 972 F.2d 980, 983 (8th Cir. 1992), and the claims he has not waived on appeal, see Ahlberg v. Chrysler Corp., 481 F.3d 630, 634 (8th Cir. 2007).