

# United States Court of Appeals

## FOR THE EIGHTH CIRCUIT

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No. 95-4068

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Sanders McDaniel Carter,

Appellant,

v.

Y. Monk, L.P.N., Cummins Unit,  
Arkansas Department of  
Correction; D. Penick, Sgt.,  
Cummins Unit, Arkansas  
Department of Correction,

Appellees.

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Appeal from the United States  
District Court for the  
Eastern District of Arkansas

[UNPUBLISHED]

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Submitted: April 7, 1997

Filed: May 1, 1997

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Before McMILLIAN, FAGG, and LOKEN, Circuit Judges.

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PER CURIAM.

Sanders McDaniel Carter appeals from the final order of the United States District Court<sup>1</sup> for the Eastern District of Arkansas, granting judgment to defendants following an evidentiary hearing in this 42 U.S.C. § 1983 action. Carter claimed defendants were deliberately indifferent to his serious medical need in violation of the Eighth Amendment. After carefully reviewing the record,

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<sup>1</sup>The Honorable William R. Wilson, Jr., United States District Judge for the Eastern District of Arkansas, adopting the findings and recommendations of the Honorable Henry L. Jones, Jr., United States Magistrate Judge for the Eastern District of Arkansas.

including the hearing transcript, we affirm on the basis of the district court's order. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.