

Opinions for the week of January 18 – January 22, 2020

Pooja Khungar v. Access Community Health Network No. 20-1958

Argued December 10, 2020 — Decided January 19, 2021

Case Type: Civil

Northern District of Illinois, Eastern Division. No. 18-cv-01454 — **Andrea R. Wood**, *Judge*.

Before SYKES, *Chief Judge*, and FLAUM and KANNE, *Circuit Judges*.

KANNE, *Circuit Judge*. Dr. Pooja Khungar, a pediatrician at Access Community Health Network, alleges that Access discriminated against her on account of her national origin, race, and religion, and retaliated against her for opposing that discrimination. Access argues that it fired Khungar because she was a bad employee and made a threatening statement. The district court ruled in favor of Access and granted it summary judgment on both claims. We agree with the district court and therefore affirm its opinion and order.

Adam Recha v. Andrew Saul No. 19-3544

Argued October 30, 2020 — Decided January 19, 2021

Case Type: Civil

Western District of Wisconsin. No. 3:19-cv-00317 — **James D. Peterson**, *Chief Judge*.

Before DANIEL A. MANION, *Circuit Judge*; ILANA DIAMOND ROVNER, *Circuit Judge*; MICHAEL Y. SCUDDER, *Circuit Judge*.

ORDER

Adam Recha suffered a serious head injury during a car crash in November 2014. In the months that followed, he noticed an increase in the auditory hallucinations that he had first started experiencing in high school. Recha sought treatment and, at age 24, was diagnosed with schizophrenia. He is now 30 and seeks to reverse a decision of the Social Security Administration denying him disability benefits. While sympathetic with Recha's condition, we conclude he has failed to show that the ALJ's decision lacked the support of substantial evidence. We therefore affirm the denial of benefits.

Muskegan Hotels, LLC v. Hiren Patel No. 20-1475

Argued December 11, 2020 — Decided January 20, 2021

Case Type: Civil

Northern District of Illinois, Eastern Division. No. 1:14-cv-9186 — **John J. Tharp, Jr.**, *Judge*.

Before ROVNER, HAMILTON, and SCUDDER, *Circuit Judges*.

SCUDDER, *Circuit Judge*. Hasan Merchant made ill-fated investments in three hotel properties in Michigan from late 2005 to 2007 and lost all three to foreclosure in 2009. Believing that the seller had fraudulently inflated the appraised values and ultimate sale prices of the properties, Merchant sued a host of individuals and entities allegedly involved in the transactions. After years and numerous rounds of amended pleadings, the district court dismissed with prejudice all claims against two law firms that provided legal services for the seller and lender at various points in time. We agree that the operative complaint—here, the Fifth Amended Cross-Complaint—fails to state any claims against either law firm, so we affirm.

Donald Harden v. USA No. 20-1154

Argued December 16, 2020 — Decided January 21, 2021

Case Type: Prisoner

Eastern District of Wisconsin. No. 19-C-1503 — **William C. Griesbach**, *Judge*.
Before WOOD, SCUDDER, and ST. EVE, *Circuit Judges*.

ST. EVE, *Circuit Judge*. A jury found Donald Harden guilty of conspiring to distribute heroin and further found that a death had “resulted from” the use of that heroin. Based on that finding, he was sentenced to life in prison under 21 U.S.C.

§ 841(b)(1)(B), the so-called “death-results” provision. This provision increases the maximum statutory term of imprisonment for a drug offense from 40 years to life on a finding that “death or serious bodily injury result[ed] from the use of [the] substance.” After an unsuccessful direct appeal, Harden moved under 28 U.S.C. § 2255 to vacate his sentence. He asserted that his trial counsel was ineffective in two ways: first, for agreeing to a jury instruction that repeated the text of § 841(b)(1)(B) but did not elaborate that his heroin had to be the “but-for” cause of the victim’s death; second, for failing to present expert testimony to rebut the government’s evidence that his heroin caused the victim’s death. The district court denied his motion without an evidentiary hearing. On appeal, Harden renews his arguments that counsel was ineffective and contends that the district court abused its discretion by denying his motion without a hearing. Neither argument has merit, so we affirm.

Raj Patel v. Manisha Patel No. 20-2713

Submitted January 21, 2021 — Decided January 21, 2021

Case Type: Civil

Southern District of Indiana, Indianapolis Division. No. 1:20-cv-01772-TWP-MPB — **Tanya Walton Pratt**, *Judge*.

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Raj Patel brought a sprawling complaint alleging that a host of individuals— family members, a former dean at his college alma mater, and former President Donald Trump—conspired to cover up sexual abuse by his mother when he was a teenager. At screening, 28 U.S.C. § 1915A, the district court construed the claims against his family members as arising under state law and dismissed those for lack of diversity jurisdiction; the court dismissed the others for failure to state a claim. Patel amended his complaint to add a federal RICO claim, an “honest services fraud” claim under 18 U.S.C. § 1346, and tort claims under “federal common law.” The court again screened the complaint and dismissed it because Patel failed to allege sufficient facts to state a plausible federal claim. On appeal Patel argues that the district court did not afford him, a pro se litigant, more lenient construction of his complaint. But Patel presents no coherent argument how the allegations in his complaint plausibly give rise to a claim under RICO, § 1346, or federal common law... AFFIRMED

Executive Committee of the U.S. District Court v. Abdul Mohammed Nos. 20-2090 & 20-2534

Submitted January 21, 2021 — Decided January 21, 2021

Case Type: Civil

Northern District of Illinois, Eastern Division. No. 20 C 3479 — **Rebecca R. Pallmeyer**, *Chief Judge*.

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Abdul Mohammed, a frequent litigator of meritless cases, appeals a filing restriction imposed by the Executive Committee of the United States District Court for the Northern District of Illinois. Because the Executive Committee reasonably disciplined Mohammed for abusive litigation practices, we affirm.

USA v. Robert Levine No. 20-1929

Submitted January 21, 2021 — Decided January 21, 2021

Case Type: Criminal

Northern District of Indiana, Hammond Division. No. 2:91 CR 3 — **James T. Moody**, *Judge*.

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Robert Levine is a federal inmate serving a life sentence imposed about 30 years ago for a triple murder-for-hire scheme. He hired a hitman who murdered Levine's brother and sister-in-law and attempted to murder his nephew. Levine asked the district court for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i), citing his age (78) and poor health. The district court denied the motion, finding that, despite his advanced age and declining health, the factors under 18 U.S.C. § 3553(a)—the nature of the crime, need for deterrence, and desire to protect the public and promote respect for the law—weighed against granting Levine compassionate release. Because the district court did not abuse its discretion in denying the motion, we affirm.

Wilson Egwuenu v. Charles Schwab & Co. No. 20-1435

Submitted January 21, 2021 — Decided January 21, 2021

Case Type: Civil

Southern District of Indiana, Indianapolis Division. No. 1:19-cv-03661-SEB-TAB — **Sarah Evans Barker**, *Judge*.

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Wilson Egwuenu appeals the dismissal of his suit accusing Charles Schwab & Co., and others, of a two-decades-long conspiracy to persecute him. The district court ruled that Egwuenu's allegations, like those he raised in several other unsuccessful suits, were factually implausible. In dismissing the suit with prejudice, it warned him that it would sanction his next frivolous filing. We affirm and impose our own sanction.

Donald Harden v. USA No. 20-1154

Argued December 16, 2020 — Decided January 21, 2021

Case Type: Prisoner

Eastern District of Wisconsin. No. 19-C-1503 — **William C. Griesbach**, *Judge*.

Before WOOD, SCUDDER, and ST. EVE, *Circuit Judges*.

ST. EVE, *Circuit Judge*. A jury found Donald Harden guilty of conspiring to distribute heroin and further found that a death had "resulted from" the use of that heroin. Based on that finding, he was sentenced to life in prison under 21 U.S.C.

§ 841(b)(1)(B), the so-called "death-results" provision. This provision increases the maximum statutory term of imprisonment for a drug offense from 40 years to life on a finding that "death or serious bodily injury result[ed] from the use of [the] substance." After an unsuccessful direct appeal, Harden moved under 28 U.S.C. § 2255 to vacate his sentence. He asserted that his trial counsel was ineffective in two ways: first, for agreeing to a jury instruction that repeated the text of § 841(b)(1)(B) but did not elaborate that his heroin had to be the "but-for" cause of the victim's death; second, for failing to present expert testimony to rebut the government's evidence that his heroin caused the victim's death. The district court denied his motion without an evidentiary hearing. On appeal, Harden renews his arguments that counsel was ineffective and contends that the district court abused its discretion by denying his motion without a hearing. Neither argument has merit, so we affirm.

Francina Smith v. GC Services Limited Partnership No. 19-3494

Submitted January 4, 2021 — Decided January 21, 2021

Case Type: Civil

Southern District of Indiana, Indianapolis Division. No. 1:16-cv-01897-RLY-DLP — **Richard L. Young**, *Judge*.

Before EASTERBROOK, KANNE, and BRENNAN, *Circuit Judges*.

EASTERBROOK, *Circuit Judge*. The first time this suit was here, we held that GC Services, a debt collector, had waived or forfeited any entitlement to arbitrate its dispute with Francina Smith. 907 F.3d 495 (7th Cir. 2018). The district court then held that Smith had not been injured and dismissed the suit... We put Smith's appeal on hold while the court considered several other cases that presented questions about standing to sue under the Fair Debt Collection Practices Act (FDCPA or the Act)... Now that those opinions have issued, and the parties have filed supplemental memoranda, the appeal is ready for decision... Standing often depends on what theory a plaintiff advances and how injury would be proved. See *Thornley v. Clearview AI, Inc.*, No. 20-3249 (7th Cir. Jan. 14, 2021). We do not hold that someone asserting a violation of §1692g(a)(3) *cannot* establish injury; we hold only that Smith *did not* allege injury, because she did not try to show what good a dispute would have done her. She is no worse off than if the letter had told her that she could dispute the debt orally. Because she is uninjured, the judgment of the district court dismissing the suit for lack of Article III standing is AFFIRMED.

USA v. Ezequiel Sanchez-Jimenez No. 19-3250

Argued December 15, 2020 — Decided January 21, 2021

Case Type: Criminal

Northern District of Illinois, Eastern Division. No. 1:18-CR-00855(1) — **John J. Tharp, Jr.**, *Judge*.

Before MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*; MICHAEL B. BRENNAN, *Circuit Judge*.

ORDER

Ezequiel Sanchez-Jimenez pleaded guilty to illegal reentry by a removed alien, 8 U.S.C. § 1326(a) and 6 U.S.C. § 202(4), and received an above-guidelines prison sentence. On appeal, he argues that his sentence was substantively unreasonable because the district court did not tailor it to the facts of the case. But the district court considered the factors under 18 U.S.C. § 3553(a) and adequately explained why a sentence above the guidelines was necessary, so we affirm.

USA v. David Earnest No. 20-2436

Submitted January 5, 2021 — Decided January 22, 2021

Case Type: Criminal

Southern District of Illinois. No. 4:96-cr-40036-JPG-002 — **J. Phil Gilbert**, *Judge*.

Before DIANE S. SYKES, *Chief Judge*; ILANA DIAMOND ROVNER, *Circuit Judge*; MICHAEL B. BRENNAN, *Circuit Judge*.

ORDER

In 2019, David Earnest moved under the First Step Act to reduce his sentence to time served (approximately 290 months). See First Step Act, Pub. L. No. 115-391, § 404(b), 132 Stat. 5194 (2018). Earnest was convicted in 1996 of one count of conspiracy to distribute crack cocaine, in violation of 21 U.S.C. § 846, and one count of distribution of crack cocaine, in violation of 21 U.S.C. § 841(a)(1). He received two career-offender sentences of 420 months' imprisonment with 5 years' supervised release, running concurrently. While incarcerated, Earnest was convicted in the Southern District of Texas of assaulting a federal officer and sentenced to a consecutive sentence of 262 months in prison. After

considering Earnest's conduct before and after sentencing, including the relevant factors under 18 U.S.C. § 3553(a), the district court declined to reduce his sentence for the drug offenses. Earnest appeals, but his counsel asserts that the appeal is frivolous and moves to withdraw. *See Anders v. California*, 386 U.S. 738, 744 (1967). For the following reasons, we grant counsel's motion and dismiss the appeal.

Eric Conner v. Jamie Adams No. 20-2309

Submitted January 21, 2021 — Decided January 22, 2021

Case Type: Prisoner

Western District of Wisconsin. No. 20-cv-531-bbc — **Barbara B. Crabb**, *Judge*.

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Eric Conner, a Wisconsin prisoner proceeding in forma pauperis, sued several correctional officers and nurses for failing to promptly treat his severe back pain. *See* 42 U.S.C. § 1983. At screening, *see* 28 U.S.C. § 1915A, the district court concluded that his allegations did not state a claim under the Eighth Amendment and dismissed the complaint; the court assessed a “strike” under 28 U.S.C. § 1915(g). Conner filed a notice of appeal, and the district court authorized him to proceed in forma pauperis. But the court did not know—because Conner did not disclose—that he had recently incurred three strikes in other lawsuits, and in each was told by the court that he had incurred strikes... Per *Newlin v. Helman*, 123 F.3d 429, 436–37 (7th Cir.1997), Conner is barred from filing any civil suits in this circuit until he has paid all the fees he owes, from all of his suits, unless he meets the imminent-danger standard of § 1915(g). DISMISSED

USA v. Travis Barrett No. 20-2130

Submitted January 5, 2021 — Decided January 22, 2021

Case Type: Criminal

Northern District of Indiana, Hammond Division. No. 2:17-CR-1-JVB-JEM — **Joseph S. Van Bokkelen**, *Judge*.

Before DIANE S. SYKES, *Chief Judge*; ILANA DIAMOND ROVNER, *Circuit Judge*; MICHAEL B. BRENNAN, *Circuit Judge*.

ORDER

Travis Barrett, a federal inmate suffering from serious medical conditions, sought compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i) based on his susceptibility to COVID-19. The district court denied Barrett's motion, concluding that he had not shown extraordinary and compelling reasons warranting his release under the statute. Because the court did not abuse its discretion in denying the motion, we affirm.

USA v. Jeffrey Farris No. 20-1936

Submitted January 21, 2021 — Decided January 22, 2021

Case Type: Criminal

Southern District of Illinois. No. 04-CR-40039-JPG-13 — **J. Phil Gilbert**, *Judge*.

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Jeffrey Farris appeals the sentence that the district court imposed after revoking his supervised release. His attorney has moved to withdraw, arguing that the appeal is frivolous. *See Anders v. California*, 386 U.S. 738 (1967). We agree with counsel, so we grant the motion and dismiss the appeal.

Chad Bullock v. Russel Simon No. 20-1686

Argued December 3, 2020 — Decided January 22, 2021

Cased Type: Bankruptcy from District Court

Southern District of Illinois. No. 19-cv-00310 — **Staci M. Yandle**, *Judge*.

Before SYKES, *Chief Judge*, and FLAUM and ST. EVE, *Circuit Judges*.

FLAUM, *Circuit Judge*. Debtor-appellant Chad Robert Bullock filed for bankruptcy but failed to disclose a workers' compensation claim on his required forms. As a result, when he received an award for his claim years later, trustee-appellee Russell C. Simon moved to require debtor to amend his reorganization plan to commit those proceeds to pay his creditors. Debtor contended in bankruptcy court that he could exempt his workers' compensation claim, but the court disagreed. Thereafter, debtor complied with the court's order to amend his reorganization plan. When he failed to make payments pursuant to that new plan, the court dismissed his bankruptcy case. In a separate but related adversary proceeding appealed to the district court, the district court dismissed the case on mootness grounds. On appeal, debtor challenges that decision and seeks to relitigate the exemption issue decided by the bankruptcy court. That issue is mooted because he complied with the very order requiring the reorganization plan's amendment that he now seeks to challenge and because his underlying bankruptcy case was dismissed. Therefore, we affirm.

Sukhdeep Singh v. Monty Wilkinson No. 20-1638

Submitted January 21, 2021 — Decided January 22, 2021

Case Type: Agency

On Petition for Review of an Order of the Board of Immigration Appeals. No. A208-177-595

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Sukhdeep Singh, an Indian citizen belonging to a Sikh-dominated political party, petitions for review of an order of the Board of Immigration Appeals upholding the denial of his applications for asylum, withholding of removal, and relief under the Convention Against Torture. Because substantial evidence supports the Board's determination, we deny his petition.

Christina Lyons v. Gene B. Glick Company, Inc. No. 20-1489

Submitted January 5, 2021 — Decided January 22, 2021

Case Type: Civil

Southern District of Indiana, Indianapolis Division. No. 1:19-cv-04221-TWP-MJD — **Tanya Walton Pratt**, *Judge*.

Before DIANE S. SYKES, *Chief Judge*; ILANA DIAMOND ROVNER, *Circuit Judge*; MICHAEL B. BRENNAN, *Circuit Judge*.

ORDER

After a state court evicted her from her apartment, Christina Lyons sued her former landlord in federal court for violating the Fair Housing Act. The district court ruled that *Rooker-Feldman* blocked subject-matter jurisdiction over all of Lyons's federal claims and relinquished jurisdiction over her state-law claims. See *Rooker v. Fidelity Tr. Co.*, 263 U.S. 413, 415–16 (1923); *D.C. Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983). Because one set of Lyons's federal claims is barred by *Rooker-Feldman* and another partially barred by the applicable statute of limitations, we affirm in part. But Lyons also alleges a small subset of claims not barred by *Rooker-Feldman* and within the limitations period, so for this subset we otherwise vacate and remand.

Anne Marnocha v. St. Vincent Hospital and Health Care Center, Inc. No. 20-1374

Argued December 3, 2020 — Decided January 22, 2021

Case Type: Civil

Southern District of Indiana, Indianapolis Division. No. 18-cv-02714 — **James R. Sweeney, II**, *Judge*.
Before SYKES, *Chief Judge*, FLAUM, and ST. EVE, *Circuit Judges*.

FLAUM, *Circuit Judge*. On the heels of her termination, plaintiff-appellant Dr. Anne Marnocha brought this claim against defendants-appellees St. Vincent Hospital and Health Care Center, Inc. and St. Vincent Carmel Hospital, Inc. (collectively “St. Vincent”), asserting age discrimination claims under the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 621 *et seq.* On appeal, Marnocha challenges the district court’s grant of St. Vincent’s motion for summary judgment, alleging that genuine issues of material fact precluded summary judgment on both her termination and failure to hire claims. Apart from a minor factual error in the district court’s opinion, we agree that no genuine dispute of material fact exists for either claim. Summary judgment was therefore appropriate, and we affirm.

USA v. Francisco Robles No. 20-1141

Submitted January 21, 2021 — Decided January 22, 2021

Case Type: Criminal

Northern District of Illinois, Eastern Division. No. 1:18-CR-00565-1 — **John J. Tharp, Jr.**, *Judge*
Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F.
HAMILTON, *Circuit Judge*.

ORDER

Francisco Robles and an accomplice, Daniel Garcia, sold undercover federal agents three kilograms of heroin in a shopping mall parking lot. Robles pleaded guilty to conspiracy to distribute and distribution of one or more kilograms of heroin. 21 U.S.C. §§ 846 & 841(a)(1) and (2). The district court imposed the mandatory minimum sentence of 120 months in prison and ten years of supervised release. Robles appealed, but his appointed counsel asserts that the appeal is frivolous and moves to withdraw. See *Anders v. California*, 386 U.S. 738, 744 (1967). We agree and grant the motion.

Antonio Smith v. Kerry Turner No. 19-3185

Submitted January 21, 2021 — Decided January 22, 2021

Case Type: Prisoner

Eastern District of Wisconsin. No. 17-cv-668-pp — **Pamela Pepper**, *Chief Judge*.
Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F.
HAMILTON, *Circuit Judge*.

ORDER

While in pretrial detention, Antonio Smith was searched by corrections officers who suspected him of hiding contraband. Smith brought this suit under the Fourteenth Amendment against the officers for using excessive force during the search and then subjecting him to an unwanted touching of his private parts. See 42 U.S.C. § 1983. The district court granted the defendants’ motion for summary judgment. On appeal Smith argues that the district court failed to construe the evidence in his favor. We affirm.

USA v. Michael Thomas No. 19-2969

Argued September 21, 2020 — Decided January 22, 2021

Case Type: Criminal

Northern District of Indiana, South Bend Division. No. 3:18-cr-00045-JD-MGG-1 — **Jon E. DeGuilio**, *Chief Judge*.
Before WOOD, BRENNAN, and SCUDDER, *Circuit Judges*.

BRENNAN, *Circuit Judge*. Michael Thomas set fire to numerous properties in a mobile home park and then used the mail to collect insurance money. The government charged Thomas with mail fraud under 18 U.S.C. § 1341, which requires proof of a “scheme to defraud.” At trial Thomas argued the fires were not part of a scheme because they were not a chain of continuous and overlapping events, but rather discrete episodes of alleged criminality, so evidence of the fires as “other acts” was improperly admitted. A jury convicted Thomas, and on appeal he argues that all but one of the fires were inadmissible character evidence. But Thomas was charged with mail fraud, not arson. We conclude the district court properly decided that six of the fires were part of Thomas’s scheme and not “other acts” at all. The district court also properly admitted evidence of another fire that, although too far removed in time to be part of the scheme, was evidence of Thomas’s *modus operandi*. So we affirm.

Ricky Bell v. Wexford Health Sources, Inc. No. 19-2576

Submitted January 21, 2021 — Decided January 22, 2021

Case Type: Prisoner

Southern District of Illinois. No. 3:17-cv-01301-JPG-RJD — **J. Phil Gilbert**, *Judge*.

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Ricky Bell, an Illinois inmate, broke one of his teeth, and the prison’s sole dentist, who had a short, scheduled absence, extracted it a week later, immediately upon his return. Bell sued the dentist and Wexford Health Sources, Inc., the prison’s medical care provider, alleging that the one-week delay violated the Eighth Amendment. The district court entered summary judgment for the defendants. Because no jury could conclude that the dentist knew about but ignored a medical condition that required a faster response, and because Wexford was not responsible for the absence of a substitute provider during dentist’s scheduled absence, we affirm the judgment.

Dennis Mikel v. Megan Miller No. 19-2296

Submitted January 21, 2021 — Decided January 22, 2021

Case Type: Prisoner

Southern District of Indiana, Indianapolis Division. No. 1:16-cv-01795-JRS-DML — **James R. Sweeney II**, *Judge*.

Before FRANK H. EASTERBROOK, *Circuit Judge*; MICHAEL S. KANNE, *Circuit Judge*; DAVID F. HAMILTON, *Circuit Judge*.

ORDER

Represented by court-recruited counsel, Dennis Mikel, an Indiana prisoner, lost after a jury trial on his claims that correctional and medical staff were deliberately indifferent to his medical needs in violation of the Eighth Amendment. See 42 U.S.C. § 1983. On appeal, he principally challenges several discretionary pretrial rulings. But those rulings were reasonable, so we affirm.

Only the text of the opinions is used. No editorial comment is added. For back issues or to send a comment, please contact [Sonja Simpson](#).