

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20919
Summary Calendar

DENNIS W. HORTON,

Plaintiff-Appellant,

versus

WAYNE SCOTT, Etc; Et Al.,

Defendants,

DR. COLEMAN; DR. CHERIAN; VERNETTE PORTER,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-99-CV-201

April 25, 2002

Before DeMOSS, PARKER, and DENNIS, Circuit Judges.

PER CURIAM:*

Dennis W. Horton, Texas prisoner No. 622525, appeals the district court's entry of summary judgment dismissing his complaint as to the only defendants remaining in the suit, Dr. Cherian and Ms. Vernetta Porter. The record supports the district court's determination that Dr. Cherian provided

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

constitutionally adequate medical treatment for Horton's injured knee and that Ms. Porter was not deliberately indifferent to a serious medical need when she allowed a nurse to respond to two medical grievances filed by Horton, rather than responding personally to Horton's complaints. See Reeves v. Collins, 27 F.3d 174, 176-77 (5th Cir. 1994); Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991). We find no error in the district court's determination that Dr. Cherian's failure to order a change in Horton's work assignment does not constitute deliberate indifference to a serious medical need. Johnson v. Treen, 759 F.2d 1236, 1238 (5th Cir. 1985). We note that Horton's appellate brief does not challenge the district court's rejection of his claims that he received improper medical treatment for hepatitis. This issue is thus abandoned. Yohey v. Collins, 985 F.2d 222, 225 (5th Cir. 1993).

AFFIRMED.