

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

April 4, 2019

Lyle W. Cayce
Clerk

No. 18-30399
Summary Calendar

CECIL MCDONALD DAVIS,

Plaintiff-Appellant

v.

UNITED STATES OF AMERICA; FEDERAL BUREAU OF PRISONS; M. D.
CARVAJAL, Warden, USP Pollock; L. SANDERS, Warden, MRC Springfield;
JOEL ALEXANDRE; ERNESTO GAPASIN, Doctor, MRC Springfield,

Defendants-Appellees

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:17-CV-883

Before SMITH, WIENER, and WILLETT, Circuit Judges.

PER CURIAM:*

Plaintiff-Appellant Cecil McDonald Davis, federal prisoner # 40552-083, appeals the dismissal of his action under *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), complaining of a denial of medical care related to treatment for an injury to his right quadricap. He contends that the district court erred in dismissing his Eighth Amendment

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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claim against his treating physician, Dr. Joel Alexandre, pursuant to 28 U.S.C. § 1915(e)(2)(b) and § 1915A. Our review is de novo. *See Geiger v. Jowers*, 404 F.3d 371, 373 (5th Cir. 2005).

The filings show that Davis merely disagrees with the course of his medical treatment; he believes that Dr. Alexandre was negligent. *See Gobert v. Caldwell*, 463 F.3d 339, 346 (5th Cir. 2006). These contentions do not raise a constitutional claim. *See id.* Davis raises no issue with respect to the dismissal of his claims against the United States; the Federal Bureau of Prisons (BOP); M.D. Carvajal, Warden at USP Pollack; L. Sanders, Warden MCFP Springfield; and Ernesto Gapasin, M.D., MCFP Springfield. He has therefore waived by failing to brief any issue he might have asserted with respect to the claims against those defendants. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). The judgment is AFFIRMED.