

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 3, 2023

Lyle W. Cayce
Clerk

No. 21-40826
Summary Calendar

CARLOS M. MORELAND,

Plaintiff—Appellant,

versus

DON'SHAY McCOY, HEP C SPECIALIST PHYSICIAN;
DR. LANNETTE LINTHICUM, SUPERVISOR HEP. C. CLINIC
PROTOCOL, HEP. C. CLINIC TREATMENT COMMITTEE; KIRK D.
ABBOTT, CO-CHAIR OF THE CORRECTIONAL MANAGED HEALTH
CARE COMMITTEE-JOINT INFECTION CONTROL COMMITTEE;
SARA HANCOCK; JESSICA KHAN, MEDICAL DOCTOR; CHRIS E.
BLACK, CO-CHAIR OF THE CORRECTIONAL MANAGED HEALTH
CARE COMMITTEE-JOINT INFECTION CONTROL COMMITTEE,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:18-CV-269

Before JONES, HAYNES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Appellant Carlos Moreland is an inmate in the custody of the Texas Department of Criminal Justice. He brought a *pro se* Section 1983 action against various defendants in August 2018, alleging that the state’s Hepatitis C treatment policy is constitutionally deficient and that his medical care providers were deliberately indifferent to his serious medical needs. He also moved for a preliminary injunction and an order finding Defendants guilty of “obstruction of justice.” Defendants asserted qualified immunity and moved for summary judgment.

The district court adopted the magistrate judge’s rigorous 42-page memorandum and recommendation, granted summary judgment in favor of Defendants, and dismissed Moreland’s motions. Moreland now appeals, largely rehashing the arguments he made below.

The court has carefully considered this appeal in light of the briefs, the record, and the opinion of the district court. Having done so, we conclude Moreland’s arguments are meritless. *See Gibson v. Collier*, 920 F.3d 212, 220–21 (5th Cir. 2019) (rejecting deliberate indifference claim where inmate failed to show “consensus in the medical community” regarding particular treatment policies); *Gobert v. Caldwell*, 463 F.3d 339, 346 (5th Cir. 2006) (holding prisoner’s disagreement with medical treatment does not constitute deliberate indifference, absent exceptional circumstances). Accordingly, Moreland fails to show that the district court erred.

For the foregoing reasons, the district court’s judgment is **AFFIRMED**.

* Pursuant to 5th Circuit Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Circuit Rule 47.5.4.