

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 05-14930  
\_\_\_\_\_

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT  
April 30, 2007  
THOMAS K. KAHN  
CLERK

D. C. Docket No. 04-00410 CV-WDO-5

CAREY FAUST,

Plaintiff-Appellant,

versus

BILL MASSEE,  
J. PERRY, et al,

Defendants-Appellees.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Middle District of Georgia  
\_\_\_\_\_

**(April 30, 2007)**

Before DUBINA and BLACK, Circuit Judges, and LIMBAUGH,\* District Judge.

PER CURIAM:

\_\_\_\_\_  
\*Honorable Stephen N. Limbaugh, United States District Judge for the Eastern District of Missouri, sitting by designation.

This is an appeal from the district court's grant of summary judgment in Carey Faust's *pro se* civil rights action brought under 42 U.S.C. § 1983, alleging violations of the Eighth Amendment and the American with Disabilities Act ("ADA"), 42 U.S.C. § 12101, *et seq.*

The issues presented on appeal are (1) whether the district court erred in granting summary judgment on Faust's claim of deliberate indifference to his medical needs; and (2) whether the district court erred in granting summary judgment on Faust's claim that his rights under the ADA were violated.

We review the district court's grant of summary judgment *de novo*, applying the same legal standards as the district court. *McCormick v. City of Fort Lauderdale*, 333 F.3d 1234, 1242-43 (11th Cir. 2003). Summary judgment is appropriate if the evidence establishes "no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(c); *McCormick*, 333 F.3d at 1243. The evidence, and all reasonable inferences, must be viewed in the light most favorable to the non-movant, here Faust. *McCormick*, 333 F.3d at 1243.

After reviewing the record, reading the parties' briefs and having the benefit of oral argument, we conclude that there is no merit to any of the arguments Faust

makes in this appeal. Accordingly, we affirm the district court's grant of summary judgment on all of Faust's claims.

**AFFIRMED.**