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U.S. COURT OF APPEALS

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

RANDALL TODD BREWER, Plaintiff - Appellant, v. STATE OF NEVADA, Defendant, and JAMES BACA; et al., Defendants - Appellees.	No. 10-16681 D.C. No. 3:07-cv-00622-LRH-RAM MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Larry R. Hicks, District Judge, Presiding

Submitted December 19, 2011**

Before: GOODWIN, WALLACE, and McKEOWN, Circuit Judges.

Randall Todd Brewer, a Nevada State prisoner, appeals pro se from the

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

district court's summary judgment in his 42 U.S.C. § 1983 action alleging deliberate indifference to his serious medical needs. We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Toguchi v. Chung*, 391 F.3d 1051, 1056 (9th Cir. 2004), and we affirm.

The district court properly granted summary judgment because Brewer did not raise a genuine dispute of material fact as to whether defendants' chosen course of treatment for Brewer's chronic abdominal pain "was medically unacceptable under the circumstances, and was chosen in conscious disregard of an excessive risk to [Brewer's] health." *Id.* at 1058 (citation and internal quotation marks omitted); *see also id.* at 1060 ("Deliberate indifference is a high legal standard.").

Brewer's appeal of the denial of his motion for preliminary injunctive relief is moot. *See Mt. Graham Red Squirrel v. Madigan*, 954 F.2d 1441, 1450 (9th Cir. 1992) (when underlying claims have been decided, the reversal of a denial of a preliminary injunction would have no practical consequences, and the issue is therefore moot).

Brewer's remaining contentions, including those regarding the district court's denial of his motions for an order of cremation and for a second medical evaluation, are unpersuasive.

AFFIRMED.