

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Donald R. Huston v. A. Mardesich, et al.

Huston v. Mardesich · No. CV-23-02203-PHX-JAT (DMF) · Decided November 24, 2025

SUMMARY

The United States District Court for the District of Arizona granted Defendant A. Mardesich’s motion for summary judgment in Donald R. Huston’s 42 U.S.C. § 1983 action concerning alleged delays in treatment for a detached retina. The court found that Plaintiff’s retinal detachment constituted a serious medical need but concluded that the evidence did not establish deliberate indifference or show that delays attributable to Mardesich caused Plaintiff’s blindness. The action was terminated with prejudice.

CASE DETAILS

COURT	United States District Court for the District of Arizona
JURISDICTION	United States District Court for the District of Arizona
DECIDED	November 24, 2025
DOCKET	CV-23-02203-PHX-JAT (DMF)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a pro se action under 42 U.S.C. § 1983 alleging that Defendant was deliberately indifferent to his serious medical needs in violation of the Eighth Amendment. Defendant moved for summary judgment, and Plaintiff opposed the motion.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The Court viewed the evidence and drew reasonable inferences in Plaintiff's favor, but required Plaintiff to identify specific facts showing a genuine issue for trial.
PRECEDENTIAL VALUE	unknown
PARTIES	Donald R. Huston v. A. Mardesich, et al.

TOPICS

- prisoners rights
- section 1983
- cruel and unusual punishment
- summary judgment
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff presented sufficient evidence of a serious medical need under the Eighth Amendment.
2. Whether Defendant was deliberately indifferent to Plaintiff's serious medical need by failing to ensure timely retinal surgery and post-operative follow-up.
3. Whether Plaintiff presented sufficient evidence that any delay attributable to Defendant caused compensable harm, including blindness in the right eye.
4. Whether Defendant was entitled to summary judgment on Plaintiff's § 1983 Eighth Amendment medical-care claim.

HOLDINGS

1. Plaintiff's retinal detachment and accompanying blindness constituted a serious medical need under the Eighth Amendment.
2. Plaintiff did not present sufficient evidence that Defendant's individual involvement in scheduling or responding to medical requests rose to deliberate indifference.
3. Plaintiff failed to produce sufficient evidence that delays in surgery or follow-up caused his blindness or were attributable to Defendant.
4. Summary judgment was proper for Defendant on Plaintiff's Eighth Amendment medical-care claim.

KEY QUOTATIONS

"A court must grant summary judgment "if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law."" (at 2)

"Without more, there is insufficient evidence that Plaintiff's current blindness in his right eye was due to any delay in receiving care and that any delay was attributable to Defendant." (at 15)

"Thus, on this record, Defendant's involvement, which consisted of responses to Inmate Letters in May and June 2022 and an HNR on August 25, 2022, about scheduling appointments with the specialist were not egregious enough to rise to deliberate indifference." (at 15)

FACTUAL BACKGROUND

Plaintiff, a prisoner at a privately operated Arizona correctional facility, suffered a right-eye retinal detachment requiring surgery on March 7, 2022. After a recurrent detachment was diagnosed, a second surgery was delayed from approximately May 16 until June 27 because of prison transportation and scheduling issues; Plaintiff later experienced blindness and a poor visual prognosis in the right eye. Defendant, the facility's health service administrator, responded to Plaintiff's communications concerning scheduling and follow-up care, but the Court found insufficient evidence that Defendant's conduct caused Plaintiff's blindness or constituted deliberate indifference.

PROCEDURAL HISTORY

The Court screened the Complaint under 28 U.S.C. § 1915A(a), allowed an individual-capacity Eighth Amendment medical-care claim against Health Service Administrator A. Mardesich, and dismissed the remaining claim and defendant. After discovery, Mardesich moved for summary judgment. The Court granted the motion and terminated the action with prejudice.

DISPOSITION

other

CASES CITED

- Rand v. Rowland, 154 F.3d 952, 962 (9th Cir. 1998) (en banc)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322-23, 323 (1986)
- Nissan Fire & Marine Insurance Co. v. Fritz Co., 210 F.3d 1099, 1102-03 (9th Cir. 2000)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 249, 250, 255 (1986)
- Triton Energy Corp. v. Square D. Co., 68 F.3d 1216, 1221 (9th Cir. 1995)
- First National Bank of Arizona v. Cities Service Co., 391 U.S. 253, 288-89 (1968)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 587 (1986)
- Jett v. Penner, 439 F.3d 1091, 1096 (9th Cir. 2006)
- Estelle v. Gamble, 429 U.S. 97, 104 (1976)
- McGuckin v. Smith, 974 F.2d 1050, 1059-60, 1060-61 (9th Cir. 1992)
- WMX Technologies, Inc. v. Miller, 104 F.3d 1133, 1136 (9th Cir. 1997) (en banc)
- Wood v. Housewright, 900 F.2d 1332, 1334 (9th Cir. 1990)
- Hutchinson v. United States, 838 F.2d 390, 394 (9th Cir. 1988)
- Colwell v. Bannister, 763 F.3d 1060, 1066 (9th Cir. 2014)
- Hunt v. Dental Department, 865 F.2d 198, 200 (9th Cir. 1988)
- Rizzo v. Goode, 423 U.S. 362, 370-71, 375-77 (1976)
- Taylor v. List, 880 F.2d 1040, 1045 (9th Cir. 1989)
- Shaka v. Ryan, No. CV 10-02253-PHX-SMM (BSB), 2015 WL 926192, at *8 (D. Ariz. Mar. 4, 2015)
- Browning v. Snead, 886 F. Supp. 547 (S.D. W. Va. 1995)
- Hanson v. Blaine County, No. 1:16-cv-00421-BLW, 2018 WL 3370526, at *5 (D. Idaho July 9, 2018)
- Herrera-Cubias v. Fox, No. 08-CV-0517-TUC-AWT, 2012 WL 12539503, at *4 (D. Ariz. Sept. 10, 2012)
- Jones v. Blanas, 393 F.3d 918, 923 (9th Cir. 2004)
- Schroeder v. McDonald, 55 F.3d 454, 460 (9th Cir. 1995)