

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

William Harris v. Ashley Trafficante, et al.

Harris · No. 2:23-cv-00491 · Decided February 4, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania overruled William Harris’s objections to a magistrate judge’s report and recommendation and granted oral surgeon Russell Wible’s motion for summary judgment. The court held that Harris had not presented sufficient competent evidence to support an inference of deliberate indifference to his serious medical needs under the Eighth Amendment. The court adopted the report and recommendation as augmented and entered judgment for Wible.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	David Stewart Cercone
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	February 4, 2026
DOCKET	2:23-cv-00491
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff objected to a magistrate judge's Report and Recommendation recommending that Defendant Russell Wible's motion for summary judgment be granted. After de novo review, the district court overruled the objections, adopted the Report and Recommendation as augmented, and granted Wible's motion for summary judgment.
STANDARD OF REVIEW	De novo review of the Report and Recommendation and objections under 28 U.S.C. § 636(b)(1); summary judgment is proper where the nonmoving party fails to identify sufficient cognizable evidence creating a genuine issue of material fact on an element for which that party bears the burden of proof.
PRECEDENTIAL VALUE	Unpublished district-court memorandum and order; precedential status is not stated in the opinion.
PARTIES	William Harris v. Ashley Trafficante, Seth Erickson, (First Name Unknown) Carlson, Russell Wible, Wesley Tift, (First Name

TOPICS

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

PRACTICE AREAS

prisoner civil rights constitutional litigation civil procedure medical treatment claims

QUESTIONS PRESENTED

1. Whether Plaintiff identified sufficient evidence to create a genuine dispute that Defendant Wible acted with deliberate indifference to a serious medical need in violation of the Eighth Amendment.
2. Whether Plaintiff's disagreement with Wible's diagnosis and treatment decision, without competent expert or other reliable evidence of a deviation from professional standards, could withstand summary judgment.

HOLDINGS

1. Plaintiff failed to produce competent and reliable evidence from which a reasonable factfinder could conclude that Wible acted with deliberate indifference. Wible's examination, professional assessment, and recommendation for follow-up treatment did not support an inference of the requisite subjective deliberate-indifference state of mind.
2. Summary judgment for Wible was appropriate because Plaintiff failed to identify sufficient cognizable evidence creating a material factual dispute on deliberate indifference, an element on which Plaintiff would bear the burden at trial.

KEY QUOTATIONS

“deliberate indifference entails something more than mere negligence” (3)

“A mere difference of opinion between the prison's medical staff and the inmate as to the diagnosis or treatment which the inmate receives does not support a claim of cruel and unusual punishment.” (3)

“as long as a physician exercises professional judgment his behavior will not violate a prisoner's constitutional rights” (4)

FACTUAL BACKGROUND

Plaintiff alleged that Russell Wible, an oral surgeon, acted with deliberate indifference by failing to provide additional expert treatment for a sinus condition after dental extractions. When Wible examined Plaintiff on October 27, 2021, he found a healed extraction site and determined that the sinus condition was outside the dental care to be performed by an oral surgeon, while recommending follow-up with an ear, nose, and throat specialist subject to prison medical approval. Plaintiff did not follow through with the recommended treatment

because he was unwilling to be seen by the proposed specialist, and he offered no competent expert or other reliable evidence showing that Wible's treatment decision violated professional standards of care.

PROCEDURAL HISTORY

Harris commenced a prisoner civil-rights action under 42 U.S.C. § 1983. The matter was referred for pretrial proceedings under 28 U.S.C. § 636(b)(1), and Magistrate Judge Kezia O. L. Taylor issued a Report and Recommendation on August 14, 2025, recommending summary judgment for Russell Wible. Harris timely objected, but the district court found the objections unavailing and adopted the Report and Recommendation after de novo review.

DISPOSITION

other

CASES CITED

- Simpson v. Kay Jewelers, Div. of Sterling, Inc., 142 F.3d 639, 643 n.3 (3d Cir. 1998)
- Fuentes v. Perskie, 32 F.3d 759, 762 n.1 (3d Cir. 1994)
- Estelle v. Gamble, 429 U.S. 97, 105-06 (1976)
- Ramos v. Lamm, 639 F.2d 559, 575 (3d Cir. 1980)
- Monmouth County Correctional Institution Inmates v. Lanzaro, 834 F.2d 326, 346-47 (3d Cir. 1987)
- Bowering v. Godwin, 551 F.2d 44, 48 (4th Cir. 1977)
- Massey v. Hutto, 545 F.2d 45, 46 (8th Cir. 1976) (per curiam)
- Farmer v. Brennan, 511 U.S. 825, 835-37 (1994)
- Pearson v. Prison Health Service, 850 F.3d 526, 535, 538 (3d Cir. 2017)
- Brown v. Borough of Chambersburg, 903 F.2d 274, 278 (3d Cir. 1990)
- Brightwell v. Lehman, 637 F.3d 187, 194 n.8 (3d Cir. 2011)