

**UNITED STATES COURT OF APPEALS**  
**TENTH CIRCUIT**

**OCT 24 2001**

**PATRICK FISHER**  
Clerk

---

RICHARD ROBINSON,

Plaintiff-Appellant,

v.

MIKE ADDISON, Warden;  
BARBARA LEWIS, Health Services  
Administrator; DR. LOWE, Physician;  
DELORES RAMSEY, DOC Director's  
Designee; BRIAN BARNES, Case  
Manager; and JAMES SAFFLE,  
Director,

Defendants-Appellees.

No. 01-7070  
(D.C. No. 99-CV-358-S)  
(E.D. Okla.)

---

**ORDER AND JUDGMENT\***

---

Before **EBEL, KELLY** and **LUCERO**, Circuit Judges.

---

Plaintiff-appellant Richard Robinson appeals from the district court's order granting the defendants' motion for summary judgment on his civil rights claims.

---

\*After examining the briefs and appellate record, this panel has determined unanimously to grant the parties' request for a decision on the briefs without oral argument. See Fed. R. App. P. 34(f) and 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This Order and Judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

Robinson is a prisoner in the custody of the Oklahoma Department of Corrections currently incarcerated at Jackie Brannon Correctional Center in McAlester, Oklahoma. It appears from the record that Robinson has lost 62% of his lung capacity due to asthma. Robinson alleges deliberate indifference to his medical needs in violation of the Eighth Amendment while he was incarcerated at Jim E. Hamilton Correctional Center (JEHCC) in Ogden, Oklahoma. This deliberate indifference, he alleges, was manifested by the defendants' refusal to allow him to buy a breathing machine for his asthma and by his assignment to jobs inconsistent with his medical condition. In his complaint, Robinson seeks transfer from JEHCC and damages.

We affirm for substantially the reasons given by the district court.

ENTERED FOR THE COURT

David M. Ebel  
Circuit Judge