

WEST VIRGINIA

EIGHTH AMENDMENT RIGHTS IN QUESTION



Bailey & Wyant PLLC's Charleston Office obtained a summary judgment after a prison inmate's Eighth Amendment rights were in question of being violated.

Managing Member Charles R. Bailey, and Member Jordan K. Herrick obtained summary judgment on behalf of a prison medical and dental provider in the United States District Court for the Southern District of West Virginia.

The inmate alleged that the prison dentist violated his Eighth Amendment rights by not properly treating his dental issues, specifically, not fitting him for dentures in a timely manner.

The Court found that the dentist's treatment was appropriate and was not deliberately indifferent to the inmate's serious medical or dental needs.



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