

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 26-1626

ROBERT JAMES PIPER,
Appellant

v.

DR. ANNIE CASWELL;
SHERI MACAFEE-GARNER

On Appeal from the United States District Court
for the District of Delaware
(D.C. Civil Action No. 1:23-cv-00697)
District Judge: Honorable Maryellen Noreika

Submitted for Possible Dismissal Pursuant to 28 U.S.C. § 1915(e)(2)(B) or
Summary Action Pursuant to Third Circuit LAR 27.4 and I.O.P. 10.6
October 1, 2026

Before: PORTER, MATEY, and MONTGOMERY-REEVES, *Circuit Judges*

(Opinion filed October 21, 2026)

OPINION*

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

PER CURIAM

Appellant Robert James Piper, proceeding pro se and in forma pauperis, appeals from the District Court's dismissal of his complaint. Because this appeal does not present a substantial question, we will summarily affirm.

Piper filed this action under 42 U.S.C. § 1983 in the District of Delaware, originally claiming that prison library staff obstructed his access to the courts and prison medical staff provided him with inadequate care. The District Court dismissed the complaint without prejudice, explaining that Piper had not pleaded injury for an access-to-courts claim or personal involvement of any defendant for the medical claim. Piper then filed an amended complaint, this time naming medical providers Dr. Annie Caswell and Sheri McAfee-Garner¹ as defendants and claiming that he had been wrongfully deprived of medication to help his opioid addiction, that his withdrawal had not been properly treated, and that he had been incorrectly housed in an upstairs cell. At screening, the District Court dismissed the access-to-courts claims with prejudice.²

Caswell and McAfee-Garner then filed a motion to dismiss. The District Court granted the motion, explaining that it was “unclear from the Amended Complaint

¹ In the filings in District Court, this defendant's last name was spelled inconsistently, but we will render it “McAfee-Garner” which is how counsel spelled it in the final motion to dismiss.

² We agree with the District Court's analysis of that claim.

whether Defendants Caswell and MacAfee-Garner are alleged to have personally stopped Plaintiff's medication and prevented him from receiving needed medical treatment." The Court granted Piper one more chance to amend, noting that this would be Piper's last chance to amend and that he needed to include specific details including all defendants, dates, locations, injuries, and damages associated with his claims.

Piper filed his second amended complaint and the defendants responded with another motion to dismiss, which the District Court granted. Piper then filed the present appeal.

We have jurisdiction under 28 U.S.C. § 1291. We exercise plenary review over a dismissal order. *See Allah v. Seiverling*, 229 F.3d 220, 223 (3d Cir. 2000). We may summarily affirm if the appeal fails to present a substantial question. *See* 3d Cir. L.A.R. 27.4; I.O.P. 10.6.

We agree with the District Court's disposition of this case. Regardless of whether Piper's claims are analyzed under the Due Process Clause or the Eighth Amendment,³ he failed to present sufficient factual matter to state a claim.

³ It appears that during part of the relevant period, Piper was a pretrial detainee, and at other times, a convicted prisoner. *See State v. Piper*, No 2301005855, 2025 WL 88420, at *1 (Del. Super. Ct. Jan 14, 2025) (unpublished) (discussing criminal history). Claims brought by pretrial detainees are analyzed under the Due Process Clause, while claims brought by prisoners are analyzed under the Eighth Amendment. *See Natale v. Camden Cnty. Corr. Facility*, 318 F.3d 575, 581-82 (3d Cir. 2003). There is currently a circuit split over whether the Supreme Court's decision in *Kingsley v. Hendrickson*, 576 U.S.

Piper argues that the defendants were deliberately indifferent because on separate occasions they refused to send him out of the prison to receive a second opinion on various opioid-withdrawal-related symptoms. However, when an incarcerated patient has received medical treatment, the question of whether additional forms of treatment were required is generally a matter of medical judgment which does not create a viable claim. *See Estelle v. Gamble*, 429 U.S. 97, 107 (1976); *Pearson v. Prison Health Serv.*, 850 F.3d 526, 535 (3d Cir. 2017) (explaining that “when medical care is provided, we presume that the treatment of a prisoner is proper absent evidence that it violates professional standards of care”). Piper discloses that the defendants did provide him with medical treatment in both instances, including examinations, responses to his concerns, and pain medication. Piper disagrees with his course of treatment, but disagreement with treatment is generally not enough for a constitutional violation. *See White v. Napoleon*, 897 F.2d 103, 110 (3d Cir. 1990); *Williams v. Ortiz*, 937 F.3d 936, 944 (7th Cir. 2019) (agreeing with this sentiment while evaluating a medical-needs claim under the *Kingsley* standard).

389 (2015), requires that courts apply an objective-only standard to pretrial detainees’ conditions-of-confinement claims. *See Poynter ex. rel. Fernandez v. Shirley*, -- F.4th --, No. 25-5188, 2026 WL 2641092, at *3 (6th Cir. Sept. 8, 2026). We have not resolved that issue, and need not do so here, because Piper’s claims arising from when he was a pretrial detainee fail under either standard.

Piper also argues that McAfee-Garner was deliberately indifferent because she failed to intervene when an unnamed third party stopped providing his original Medication Assisted Treatment (“MAT”) medication for an unknown reason.⁴ In a civil rights action, when a plaintiff alleges that a defendant’s only personal involvement in a wrong is through acquiescence, those allegations must be made with “appropriate particularity.” *Rode v. Dellarciprete*, 845 F.2d 1195, 1207-08 (3d Cir. 1988).⁵ Despite several chances from the District Court, Piper did not provide required detail here, such as who stopped his medication or on what basis. Even if he had provided detail, Piper again was provided with alternative medical treatment; furthermore, we have rejected the “suggestion that each prisoner has a right to particular addiction treatments absent an individualized medical judgment precluding an alternative course of treatment.” *DiFraia v. Ransom*, 171 F.4th 622, 631 (3d Cir. 2026). As a result, we agree that Piper has failed to state a claim.

Finally, Piper’s claim that defendant McAfee-Garner was deliberately indifferent in giving him a new MAT medication without properly explaining potential side effects, leading to an adverse reaction, is similarly insufficient. Piper alleges that this took place

⁴ Although he does not provide details, he does acknowledge that he committed “one violation” of medical policies.

⁵ Likewise, Piper pleaded no facts whatsoever linking his placement on an upper floor with the named defendants.

on October 28, 2024, when he was unquestionably a convicted prisoner. *See Piper v. State*, No. 2209003503, 2025 WL 66773, at *2 (Del. Super. Ct. Jan. 10, 2025). This means that this claim should be analyzed under the Eighth Amendment, and that Piper was required to adequately allege the defendant's deliberately indifferent state of mind. *See Natale*, 318 F.3d at 581-82. However, Piper failed to plead that McAfee "appreciated the true seriousness of the risk of harm" and disregarded it. *Pearson*, 850 F.3d at 539; *see also DiFraia*, 171 F.4th at 630-31 (ruling that a plaintiff did not show deliberate indifference when he failed to demonstrate that the defendant's medical decisions were based on "retaliation, intentional infliction of harm, or a refusal to spend").

Accordingly, we will summarily affirm the District Court's judgment. All pending motions are denied.