

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED
June 5, 2009

No. 08-10676

Charles R. Fulbruge III
Clerk

ALICE SHOCKEY,

Plaintiff-Appellant,

versus

LABORATORY CORPORATION OF AMERICA,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
No. 3:06-CV-1982

Before SMITH, GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:*

Alice Shockey sued for age discrimination after she was fired. The district court denied relief, concluding that Shockey had been terminated for poor performance.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

We have read the briefs and pertinent parts of the record, have consulted the relevant caselaw, and have heard the arguments of counsel. We find no error, and certainly no clear error, in the district court's findings of fact or conclusions of law. In summary, the court correctly found that the employer "terminated Plaintiff because it held a good faith belief that Plaintiff did not meet her quota[, and P]laintiff, in fact, did not meet her quota, or meet the expectations laid out in her Performance Improvement Plan."

The judgment is AFFIRMED.