

February 11, 2005

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-30780  
Summary Calendar

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JOYCE MAYEAUX; JOEY MAYEAUX,

Plaintiffs - Appellants,

versus

ROBERT K MORRIS; HAMMOND DAILY STAR PUBLISHING COMPANY; JAMES N  
COOPER,

Defendants - Appellees.

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
(No. 2:03-CV-1176-A)

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Before GARZA, DEMOSS, and CLEMENT, Circuit Judges.

PER CURIAM:<sup>\*</sup>

Plaintiffs Joyce and Joey Mayeaux appeal the lower court's decision which granted defendants' motion for summary judgment and dismissed as moot plaintiffs' motions in limine and to compel. The lower court concluded that appellants failed to make the

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<sup>\*</sup> Pursuant to 5th Cir. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

necessary prima facie cases for any of its discrimination claims. Notwithstanding appellants' reliance on this Court's opinion in *Rachid v. Jack In The Box, Inc.*, 376 F.3d 305 (5th Cir. 2004), a prima facie case remains a necessary threshold element to discriminatory and retaliatory termination claims. *Id.* at 312. The magistrate's order is AFFIRMED for the reasons contained therein.