

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-31021
Summary Calendar

MARSHALL RAY HURST,

Plaintiff-Appellant,

versus

TRANSCONTINENTAL GAS CORPORATION,
doing business as Williams Gas Pipeline-Transco,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Louisiana
(00-CV-725-D)

March 3, 2003

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Marshall Ray Hurst appeals the summary judgment awarded Transcontinental against Hurst's race discrimination claims. Pertinent to this appeal, the district court held, *inter alia*, that Hurst had failed to establish a *prima facie* employment discrimination claim because: (1) he was not qualified for the position of maintenance specialist; (2) he made only conclusory allegations concerning Transcontinental's systematic failure to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

train black employees; and (3) two alleged racial slurs by a Transcontinental employee did not suffice to create a hostile work environment. The district court also held Hurst had failed to establish a retaliation claim because: (1) he suffered no adverse employment action; and (2) assuming *arguendo* such an action occurred, he failed to establish a causal connection between it and his protected activity.

No authority need be cited for the rule that a summary judgment is reviewed *de novo*, applying the same analysis as did the district court, including all inferences being in favor of the non-movant. Such judgment is proper if there is no genuine issue of material fact and the movant is entitled to a judgment as a matter of law. FED. R. CIV. P. 56(c).

Essentially for the reasons stated in the district court's opinion, summary judgment was proper.

AFFIRMED