

May 16, 2003

Charles R. Fulbruge III  
Clerk

**UNITED STATES COURT OF APPEALS  
For the Fifth Circuit**

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No. 02-41654  
Summary Calendar

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LUANNE MOORE,

Plaintiff-Appellant,

VERSUS

EXXON MOBIL OIL CORPORATION, a New Jersey Corporation,  
formerly known as Mobil Oil Corporation,

Defendant-Appellee.

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Appeal from the United States District Court  
For the Eastern District of Texas, Beaumont

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(1:00-CV-839)

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Luanne Moore ("Moore") filed suit in the federal district court against Exxon Mobil Oil Corporation ("Exxon Mobil") alleging violations of Title VII as well as a claim for intentional infliction of emotional distress under state law. Exxon Mobil answered indicating that Moore was terminated because of "serious

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

performance deficiencies" and that Moore had been placed on "a performance improvement plan" but failed to achieve the necessary improvement in performance. Exxon Mobil moved for summary judgment which was granted and Moore appeals to this Court.

We have carefully reviewed the briefs, the record excerpts and relevant portions of the record itself. For the reasons stated by the district judge in his "Memorandum Opinion on Defendant's Motion for Summary Judgment" filed October 9, 2002, we affirm the final judgment of the district court granting defendant's motion for summary judgment. AFFIRMED