

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-20450
Summary Calendar

IVAN ANDRICK; HELEN ANDRICK,

Plaintiffs-Appellants,

versus

POOL ENERGY SERVICES, Co; R. G. HALE,

Defendants-Appellees,

and

LOUIS E. DUPREE,

Defendant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-94-CV-893

January 18, 1996
Before WIENER, PARKER and DENNIS, Circuit Judges.

PER CURIAM:*

Appellants Ivan and Helen Andrick appeal from the district court's order denying their lawsuit under the Age Discrimination in Employment Act, 29 U.S.C. § 621, and various state theories, including fraud, intentional infliction of emotional distress, and constructive discharge. They argue that the district court

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

erred in evaluating their claims and in applying federal and state law. We have reviewed the record and the magistrate judge's report and recommendation and find no reversible error. Accordingly, we affirm for essentially the reasons given in the district court's order granting the defendants' motions for summary judgment and for judgment on the pleadings. Andrick v. Pool Energy Services, Co., et al., No. H-94-983 (S.D. Tex. June 1, 1995).

Appellants' motion to file a reply brief out-of-time is DENIED and appellees' motion to strike the proposed reply brief is GRANTED.

AFFIRMED.