

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-50209

Summary Calendar

JOSE E. RODRIGUEZ,

Plaintiff-Appellant,

versus

LAUREL RIDGE HOSPITAL,

Defendant-Appellee.

Appeal from the United States District Court
For the Western District of Texas
(SA-96-CV-430)

January 16, 1998

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

We affirm the district court's ruling dismissing Rodriguez' claims of race discrimination, harassment and failure to promote since Rodriguez did not make any of these allegations in his discrimination charge with the EEOC. Anderson v. Lewis Rail Serv. Co., 868 F.2d 774, 775 (5th Cir. 1989).

*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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 also affirm the district court's grant of summary judgment on Rodriguez' claim of sex discrimination since there are no genuine issues of material fact as Rodriguex has failed to establish a *prima facie* case of sex discrimination. McDonnell-Douglas Corp. v. Green, 411 U.S. 792, 802 (1973).

AFFIRMED.