

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-60092
Summary Calendar

PERRY LEWIS EVANS,

Plaintiff-Appellant,

versus

REGION 8 MENTAL HEALTH AND MENTAL RETARDATION COMMISSION;
T. E. COTTEN, JR.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
(3:96-CV-183LN)

December 8, 1997

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:*

Perry Lewis Evans, plaintiff-appellant, brought suit in federal district court against both his employer and supervisor asserting claims for racial discrimination and retaliation under Title VII and intentional infliction of emotional distress. The district court granted summary judgment in favor of defendants-appellees.

*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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 review a district court's grant of summary judgment de novo. See *Grimes v. Texas Dept. of Mental Health and Mental Retardation*, 102 F.3d 137, 139 (5th Cir. 1996). Summary judgment is appropriate when there is no genuine issue as to any material fact and the movant is entitled to judgment as a matter of law. See FED. R. CIV. P. 56(c). Unsubstantiated assertions are not competent summary judgment evidence. See *Grimes*, 102 F.3d at 139.

Appellant's brief is devoid of facts or arguments beyond conclusory allegations supporting his contention that an issue of material fact exists in this case. The court has considered appellant's claims in light of the briefs and pertinent portions of the record. We find no reversible error of fact or law and affirm for essentially the same reasons stated by the district court.

AFFIRMED.