

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-10510  
Summary Calendar

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ROYCE DYESS,

Plaintiff-Appellant,

versus

CITY OF LAMESA, TEXAS,

Defendant-Appellee.

Appeal from the United States District Court  
for the Northern District of Texas  
(5:97-CV-179)

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January 20, 1999

Before HIGGINBOTHAM, JONES, and DENNIS, Circuit Judges.

PER CURIAM:\*

Plaintiff-appellant Royce Dyess appeals the district court's grant of summary judgment in favor of the defendant-appellee City of Lamesa. Dyess argues on appeal that he sufficiently raised genuine issues of material fact in order to survive a motion for summary judgment on his Title VII of the Civil Rights Act and Age Discrimination in Employment Act claims. Having reviewed the parties' briefs and the record, we find no reversible error in the district court's Order. Therefore, we AFFIRM the judgment of the district court.

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\*Pursuant to 5<sup>th</sup> CIR.R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>th</sup> CIR.R. 47.5.4.