

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 98-20496
Summary Calendar

JOHN H. FOREMAN,

Plaintiff-Appellant,

VERSUS

TEXAS DEPARTMENT OF CORRECTIONS, ET AL.,

Defendants,

TEXAS DEPARTMENT OF CORRECTIONS; S. A. SMITH,
Acting Chief of Inspection; DAVID MCNUTT, Assistant
Director; LARRY SNYDER, Personnel Director; ROBERT E.
PETTY, IV, Assistant Director,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas

(H-88-CV-3323)

April 23, 1999

Before EMILIO M. GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

John H. Foreman ("Foreman") sued his employer, the Texas Department of Corrections ("TDC"), claiming that he was

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

discriminated against because he is black and he was retaliated against because he exercised free speech rights. TDC filed two motions for summary judgment, the second of which was granted by the district court. Foreman appeals.

We have carefully reviewed the briefs and relevant portions of the record itself. Foreman's brief fails to point out any portions of the summary judgment record which would raise a genuine issue of fact as to his claims, and cites no cases nor statutory provisions in support of his contentions. Consequently, this Court has no basis upon which to conclude that the district court erred in granting summary judgment in favor of TDC. Accordingly, this case is **AFFIRMED**.