

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-60736
Summary Calendar

JEROME SMITH, Dr.,

Plaintiff-Appellant,

versus

BOARD OF TRUSTEES OF THE OKOLONA MUNICIPAL
SEPARATE SCHOOL DISTRICT; W. HOWARD GUNN,
in his capacity as board member; EDDIE BRASFIELD,
in his capacity as board member; GEORGE MAYFIELD,
in his capacity as board member; WILLIAM
RANDLE, in his capacity as board member; LYNN
FAIR, in his capacity as board member; GERALD
HEGAN, Individually and in his capacity of Superintendent,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Mississippi
(1:97-CV-226-B-D)

July 26, 1999

Before WIENER, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

Dr. Jerome Smith appeals the summary judgment dismissing his claims against the Board of Trustees and Superintendent of the Okolona Municipal Separate School District, arising out of the non-renewal of his contract as Principal of Okolona High School.

Although Smith failed to file any response to the summary judgment motion, he contends now that the failure to renew his

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

contract violated his Fourteenth Amendment rights to be free from racial discrimination and his First Amendment rights to speech and assembly; that the Appellees violated his employment contract rights by failing to give him a "corrective action plan"; and that they violated his rights under MISS. CODE ANN. § 37-9-111, by failing to timely notify him of the Board's decision.

Pursuant to our review of the summary judgment record, we conclude that the district court correctly determined that there is no material fact issue. FED. R. CIV. P. 56(c). Accordingly, essentially for the reasons stated by the district court, **Smith v. Board of Trustees**, No. 1:97-CV-226-B-D (N.D. Miss. Oct. 30, 1998), the judgment is

AFFIRMED