

November 17, 2005

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-50658  
Summary Calendar

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DAVID GUEL,

Plaintiff-Appellant,

versus

JAMES D. ROCHE, Secretary  
U.S. Air Force

Defendant-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
San Antonio Division  
USDC No. SA-04-CA-152-OG  
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Before JONES, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:\*

In February 2004 David Guel ("Plaintiff") filed his original complaint against James D. Roche, Secretary U.S. Air Force ("Defendant") asserting that Guel was discriminated against on the basis of his national origin (Hispanic), and age (51), when he was terminated from his employment as a sheet metal worker at Randolph Air Force Base in Texas. Defendant answered, and in February 2005 filed a Motion for Summary Judgment. In April 2005 the District

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Court granted Defendant's Motion for Summary Judgment, concluding that Plaintiff had not shown a *prima facie* case of discrimination.

Final judgment in favor of Defendant was entered on July 20, 2005. Plaintiff timely appealed to this court.

We have carefully reviewed the Briefs, the Reply Brief, the Record Excerpts, and relevant portions of the Record itself. For the reasons stated by the District Court in its Order Granting Defendant's Motion for Summary Judgment, we affirm the Final Judgment entered on July 20, 2005. AFFIRMED.