

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-20050  
Summary Calendar

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UNA MAE DAVIS,

Plaintiff-Appellant,

versus

FORT BEND INDEPENDENT SCHOOL DISTRICT,

Defendant-Appellee.

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Appeal from the United States District Court for the  
Southern District of Texas  
(H-99-CV-185)

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July 11, 2000

Before JOLLY, JONES and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Una Mae Davis appeals from an adverse summary judgment dismissing her employment discrimination claims. On appeal, Davis contends that the district court erred in dismissing her race discrimination claim. Specifically, Davis asserts that the summary judgment evidence created a fact issue as to her qualification for the position from which she was terminated. We disagree. Our de

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

novo review of the summary judgment evidence leads us to the inescapable conclusion that the district court correctly determined that Davis did not establish a prima facie case. To the extent that Davis complains of an inadequate time to conduct discovery, such claim has been waived and is not properly before us, inasmuch as Davis did not request additional time for discovery from the district court. The judgment of the district court is affirmed essentially for the reasons set out in the Memorandum and Order of the district court dated December 16, 1999.

AFFIRMED