

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 00-50299
Summary Calendar

EDWIN POPE,

Plaintiff-Appellant,

VERSUS

CS WIRELESS SYSTEMS, INC.,

Defendant-Appellee.

Appeal from the United States District Court
For the Western District of Texas
(SA-98-CV-679-OG)

September 14, 2000

Before DAVIS, JONES, and DeMOSS, Circuit Judges.

PER CURIAM:*

In July 1998, Edwin Pope ("Pope") sued his former employer, CS Wireless Systems, Inc. ("CS Wireless") claiming that he was discriminated against because of his race, African-American, in violation of Title VII of the Civil Rights Act of 1964, when his employer eliminated his job position and terminated his employment

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

in December 1996, and subjected him to an unlawful, hostile working environment based on his race. In July 1999, after extensive discovery, CS Wireless moved for summary judgment and the case was referred to the United States Magistrate Judge for a report and recommendation. In January 2000, the magistrate judge filed her report and recommendation that summary judgment in favor of CS Wireless be granted because there were no genuine issues of material fact and defendant was entitled to judgment as a matter of law. Pope filed objections to the report and recommendation and the district court, after de novo review, entered an order accepting the magistrate judge's recommendation and granted summary judgment in favor of CS Wireless. Pope timely appealed to this Court.

We have carefully reviewed the briefs, the reply briefs, the record excerpts and relevant portions of the record itself. For the reasons stated by the magistrate judge in her report and recommendation filed under date of January 24, 2000, which was adopted and accepted by the district judge in his order accepting magistrate judge's recommendation filed March 10, 2000, we affirm the order of the district court granting CS Wireless' motion for summary judgment.

AFFIRMED.