

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 01-10404
Summary Calendar

DIANE MANNEY,

Plaintiff-Appellant,

VERSUS

MARITZ TRAVEL COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
For the Northern District of Texas

(3:00-CV-28-H)

November 20, 2001

Before DeMOSS, PARKER, and DENNIS, Circuit Judges.

PER CURIAM:*

Diane Manney ("Manney") sued her former employer, Maritz Travel Company ("Maritz"), alleging a violation of the Age Discrimination and Employment Act, 29 U.S.C. § 621, et seq. Maritz answered that Manney's position had been eliminated in November 1998 as part of a reduction in force and change of focus for the

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

company business. Maritz moved for summary judgment based on Manney's failure to adduce sufficient evidence of pretext. The district court carefully considered the pleadings, the summary judgment motion, and the summary judgment evidence and concluded in oral findings dated February 23, 2001, that there was not sufficient evidence upon which a reasonable jury could find that the non-discriminatory reason offered by Maritz for Manney's termination was a pretext for age discrimination. The district court granted summary judgment in favor of Maritz and Manney appeals 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 oral findings dated February 23, 2001, the decision of the district court to grant summary judgment in favor of Maritz will be affirmed.

AFFIRMED.