

In the United States Court of Appeals

For the Fifth Circuit

m 02-20252

SAROJ M. BAHL, PHD.,

Plaintiff-Appellant,

DAVID T. LÓPEZ,

Appellant,

VERSUS

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, ET AL.,

Defendants,

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON;
JEANNE MARTIN, PHD., INDIVIDUALLY; JAMES T. WILLERSON, PHD.,

AND

DORIS A. ROSS,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
m H-00-CV-2496

December 10, 2002

Before SMITH, BARKSDALE, and
EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

The plaintiffs sue, under various statutes, for alleged racial discrimination, retaliation, and intentional infliction of emotional distress. The district court found no issues of material fact and granted summary judgment to defendants and imposed sanctions on plaintiff and her attorney.

We have read the briefs and have heard the arguments of counsel, and have consulted pertinent portions of the record. On the basis of applicable caselaw and the summary judgment record, we affirm, essentially for the reasons given by the district court. This affirmance goes to both the summary judgment and the sanctions.

Defendant Jeanne Martin moves for sanctions under FED. R. APP. P. 38 for a frivolous appeal. That motion is GRANTED. Appellant and her attorney are assessed, jointly and severally, double costs plus attorney's fees of \$5,000 on appeal. The double costs shall be paid to each respective defendant in the proportion that each defendant has incurred costs on appeal. The attorney's fees shall be paid to Martin.

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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