

March 27, 2003

In the
United States Court of Appeals Charles R. Fulbruge III
for the Fifth Circuit Clerk

m 02-30915
Summary Calendar

ANTOINETTE M. ANDERSON,

Plaintiff-Appellant,

VERSUS

UNITED STATES POSTAL SERVICE

AND

JOHN E. POTTER, POSTMASTER GENERAL,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Louisiana
m 00-CV-1118-S

Before HIGGINBOTHAM, SMITH, and
CLEMENT, Circuit Judges.

PER CURIAM:*

* Pursuant to 5TH CIR. R. 47.5, the court has
determined that this opinion should not be published
(continued...)

Antoinette Anderson sued her former em-
ployer, the United States Postal Service, for
retaliation under title VII and for failure to

(*...continued)
and is not precedent except under the limited circum-
stances set forth in 5TH CIR. R. 47.5.4.

provide reasonable accommodations under the Rehabilitation Act. In its comprehensive Order and Reasons, entered August 28, 2002, the district court granted summary judgment.

The court concluded that “[t]he result of Anderson’s fitness-for-duty exam indicate [*sic*] that her condition is permanent and she cannot meet the requirements for a mailhandler position.” This sufficiently resolves the issue of accommodation.

Regarding retaliation, the court noted that “Anderson does not address the nondiscriminatory reason which the Postmaster offered to explain her termination. She does not dispute that she had no seniority to select a job on a specific unit and that she was subject to assignment as needed, usually to the less desirable positions.” Accordingly, as the court reasoned, “the record conclusively reveals that the Postmaster had a nondiscriminatory reason for terminating Anderson’s employment, and Anderson has not produced evidence that her termination would not have occurred ‘but for’ her filing EEOC complaints.”

The summary judgment is **AFFIRMED**, essentially for the reasons given by the district court.