

February 9, 2004

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 03-41132
Summary Calendar

MICHELLE REED,

Plaintiff-Appellant,

v.

LOWE'S HOME CENTERS INC.; ET AL.,

Defendants,

LOWE'S HOME CENTERS INC.,

Defendant-Appellee.

Appeal from the United States District Court for the
Eastern District of Texas, Beaumont
1:02-CV-475

Before JONES, BENAVIDES and CLEMENT, Circuit Judges.

PER CURIAM:*

Plaintiff-appellant Michelle Reed (Reed) appeals from a summary judgment dismissing her claims against Defendant-appellee, Lowe's Home Centers, Inc., alleging employment discrimination and

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

also claims of intentional infliction of emotional distress under Texas state law. Our de novo review of the record leads to the inescapable conclusion that Reed failed to establish a prima facie case of discrimination and that her proof and allegations with respect to her state law tort claim cannot survive summary judgment. The judgment of the district court is affirmed essentially for the reasons stated in the district court's order dated July 16, 2003.

AFFIRMED