

July 27, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-10977
Summary Calendar

ABRAHAM W. MEKASHA,

Plaintiff-Appellant,

versus

EXXONMOBIL CORPORATION,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:04-CV-797

Before SMITH, DeMOSS, and PRADO, Circuit Judges.

PER CURIAM:*

Abraham Mekasha ("Appellant") filed suit against ExxonMobil Corporation ("Appellee") in the U.S. District Court for the Northern District of Texas, seeking "one billion dollars" for breach of an alleged lifetime employment contract and for retaliation against him by Appellee in violation of the Civil Rights Act of 1964 as amended, 42 U.S.C. 2000e, *et.seq.* (Title VII) when it fired him for failing to show up for work. Appellant also claims injuries resulting from intentional infliction of emotional distress under Texas law. Appellee filed

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

an answer, denying all charges, and after conducting discovery on Appellant's claims, Appellee moved for summary judgment on each of the causes of action asserted by Appellant. The district court granted summary judgment in favor of Appellee as to all claims asserted under Title VII, finding that Appellant failed to establish a prima facie case of retaliation and failed to produce evidence showing that Appellee's non-discriminatory basis for terminating his employment was a pretext for unlawful retaliation. The district court declined to exercise supplemental jurisdiction over Appellant's state law claims. Appellant timely appealed to this court.

We have carefully reviewed the briefs, the record excerpts, and relevant portions of the record. We affirm the judgment of the district court granting summary judgment in favor of Appellee on all of Appellant's Title VII claims and dismissing without prejudice Appellant's state law claims.

AFFIRMED.