

April 12, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-30766
Summary Calendar

BRENDA EDMOND,

Plaintiff-Appellant,

versus

P D S INC, ETC, ET AL

Defendants,

P D S INC, doing business as
Oxlite Manufacturing,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 6:01-CV-2594

Before KING, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:*

Brenda Edmond ("Plaintiff"), after initially filing suit in 2001 and filing various amendments thereto to correctly name the defendants, filed her amended complaint on July 30, 2003, naming P D S, Inc. d/b/a Oxlite Manufacturing ("P D S"), her employer, and Allen Boudreaux ("Boudreaux"), one of her fellow employees,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

as defendants. Plaintiff asserted claims of racial and sexual discrimination under Title VII and 42 U.S.C § 1981 and various state tort claims. P D S and Boudreaux answered and after full and adequate discovery, moved for summary judgment. Plaintiff did not oppose the motion for summary judgement but instead filed a motion to dismiss her complaint. The trial court denied her motion to dismiss and entered summary judgment in favor of P D S and Boudreaux. Plaintiff timely appeals to this court.

We have carefully reviewed the briefs, the record excerpts, and relevant portions of the record itself. For the reasons stated by the district court in its memorandum ruling and judgment dated May 13, 2005 and for the reasons stated by the district court in its orders entered June 23, 2005, we affirm the judgment of the district court dismissing Plaintiff's case with prejudice and ordering attorneys' fees in favor of defendants.

AFFIRMED.