

FILED

January 8, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 05-31156
Summary Calendar

ALLEN A. WATTS,

Plaintiff-Appellant,

versus

SCHOOL BOARD OF ST. LANDRY PARISH; ETAL,
Defendants,

SCHOOL BOARD OF ST. LANDRY PARISH; HIGHLAND
ELEMENTARY SCHOOL; CLAUD MOODY,

Defendants-Appellees.

Appeal from the U.S. District Court for the
Western District of Louisiana
Docket No. 6:04-CV-01135

Before REAVLEY, WIENER, and DENNIS, Circuit Judges.

PER CURIAM:*

Plaintiff Allen Watts appeals from the district court's grant of summary

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

judgment for the defendants. We affirm for the following reasons:

Watts has failed to establish a prima facie case of employment discrimination. In the context of religious discrimination, a plaintiff makes out a prima facie case by demonstrating that: “(1) he or she has a bona fide religious belief that conflicts with an employment requirement; (2) he or she informed the employer of this belief; (3) he or she was disciplined for failure to comply with the conflicting employment requirement.” *Turpen v. Missouri-Kansas-Texas R.R. Co.*, 736 F.2d 1022, 1026 (5th Cir. 1984). Even assuming Watts can get past step one, he can go no further. In his deposition, Watts said that he did not tell his employer, Claud Moody, about any religious reasons for his apparently unkempt appearance. Further, Watts asserted that Moody did not, in fact, know of his religious beliefs. In his brief to this Court, Watts states that he “does not know whether the principal was aware of his religion at all.” Watts Br. at 2. Moody affirms in an affidavit that he was unaware of Watts’ religious beliefs. Because Watts has not established that his employer knew of his religious beliefs, he cannot show that his failure to obtain a janitorial position was based on religious discrimination.

AFFIRMED.