

May 11, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

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No. 06-60758  
Summary Calendar

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WENDY NASSAR,

Plaintiff - Appellant,

versus

ACADEMY SPORTS & OUTDOORS,

Defendant - Appellee.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 1:05-CV-367

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Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Wendy Nassar filed a lawsuit under 42 U.S.C. §§ 1981 and 2000e against her former employer, Academy Sports & Outdoors, alleging that Academy denied her a promotion because of her gender, and then retaliated against her after she reported this discriminatory conduct to the Human Resources manager and filed her complaint with the EEOC. Academy filed a motion for summary judgment, to which Nassar failed to respond. Relying on the allegations in Nassar's complaint, the district court granted summary judgment in favor of Academy on the sex discrimination claim because Nassar failed to

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

make out her prima facie case, and on the retaliation claim because Nassar failed to offer any evidence to indicate that Academy's legitimate non-discriminatory reason for terminating her was pretextual. Additionally, the district court dismissed Nassar's § 1981 complaint for failure to allege racial discrimination. After careful review of the record, we affirm the district court for essentially the reasons set forth in its thorough and well-reasoned opinion.

AFFIRMED.