

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-1613
Conference Calendar

EDDIE R. ROSE,

Plaintiff-Appellant,

versus

UTL CORPORATION,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:91-CV-1151-BC
- - - - -

June 24, 1993

Before POLITZ, Chief Judge, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:*

Eddie R. Rose filed a civil rights complaint against his former employer, UTL Corporation (UTL) in June 1991. According to Rose, UTL fired him in retaliation for racial discrimination complaints he lodged against the company with the Equal Employment Opportunity Commission. Id. at 4, 84.

Following a two-day bench trial before a magistrate judge, the court entered findings of fact and conclusions of law on the record in favor of UTL.

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

Rose argues that the magistrate judge erred in entering judgment in favor of UTL because UTL's argument that it eliminated his job to reduce costs was not supported by the evidence. Rose, however, has failed to provide this Court with a transcript of the trial proceedings, including the magistrate judge's findings of fact and conclusions of law.

We have no transcript. See Alizadeh v. Safeway Stores, Inc., 910 F.2d 234, 237 (5th Cir. 1990). We find no basis for Rose's conclusion that his discharge was discriminatory. Rose offered no argument to rebut as pretextual what appears to be a valid reduction in force explanation by UTL. AFFIRMED.