

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 94-60383  
Summary Calendar

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JONATHAN M. PARKER,

Plaintiff-Appellant,

VERSUS

UNIVERSITY OF MISSISSIPPI, ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
For the Northern District of Mississippi

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(3:92-CV-93)

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(April 3, 1995)

Before KING, HIGGINBOTHAM and DeMOSS, Circuit Judges.

PER CURIAM:\*

Jonathan M. Parker, pro se, sued the University of Mississippi, and three of its security officers, for various federal and state law claims arising out of his employment with the

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\*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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

University. After extensive discovery, the defendants moved for dismissal or, alternatively, summary judgment as to all of Parker's claims. The district court found no basis upon which relief could be granted regarding Parker's federal claims and therefore dismissed them. The court then declined pendent jurisdiction over Parker's state law claims and dismissed those claims as well. Parker appealed the court's dismissal of his federal claims. We now affirm.

I.

We review a summary judgment de novo, applying the same standard as the district court. Campbell v. Sonat Offshore Drilling, Inc., 979 F.2d 1115, 1118-19 (5th Cir. 1992). We therefore view the facts of this case in a light most favorable to Parker. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986) (holding that on a summary judgment review, "[t]he evidence of the non-movant is to be believed, and all justifiable inferences are to be drawn in his favor"). Parker on appeal alleges numerous claims, all of which stem from different facts.

A.

From May 1990 until his resignation in August 1991, Parker served as a security officer for the University Police Department ("UPD"). In March 1991, while Parker was on duty, a vandal scribbled the word "Nigger" on the wall of the student union building. Ronald King, an investigator for the UPD, interviewed and fingerprinted Parker and several other employees with access to the vandalized area. Because he recognized a similarity between

Parker's handwriting and the graffiti on the wall, King also asked Parker to write the word "Nigger" several times on a writing tablet. Parker claimed that King's conduct constituted a Title VII violation.

B.

In early 1991, Donald Wood, a sergeant for the UPD, served as Parker's immediate supervisor. Wood discussed with Parker about Parker's interest in writing and learned that Parker had previously received an award for a collection of poems. Wood encouraged Parker to take classes in creative writing. Shortly thereafter, Wood read a short story written by Parker entitled "Campus Security." Wood apparently objected to the story because he regarded it as a thinly veiled attack on the UPD. According to Parker, Wood informed Parker that, if he intended to publish his story, Parker would have to obtain the prior approval of the Chief of the UPD, Michael Stewart, and that if Parker failed to do so, Stewart would fire him. The UPD, Parker concedes, took no additional steps to thwart his literary pursuits. Parker nonetheless claims that Wood's conduct constitutes a violation of his free speech rights.

C.

Just prior to his resignation in early August 1991, Parker was assigned to sorority house detail. On the evening of August 1, Parker reported to the UPD dispatcher that the sorority house was on fire, and the dispatcher summoned the city firefighters, who quickly extinguished the fire. Later that night, King requested

Parker to file a written report of the incident. The following day, King and Stewart questioned Parker for approximately 90 to 120 minutes about the incident, specifically accusing Parker at one point of setting the fire. Parker resigned shortly thereafter. Parker argues that his superiors' conduct amounted to (1) an unlawful constructive discharge, (2) a violation of his right against unreasonable searches and seizures, and (3) a violation of his right against self-incrimination.

D.

After resigning, Parker submitted a seven-page letter of complaint to University Chancellor Gerald Turner and Vice Chancellor Gordon Beasley. Beasley, whom Turner charged with investigating the matter, interviewed both Parker and Stewart and reviewed the current investigative procedures employed by the UPD. Beasley reported to Turner that he found nothing improper in the UPD's procedure or the tactics the UPD employed in Parker's case. Turner then informed Parker in September 1991 that, because it was not charging Parker, the University considered the matter closed and advised Parker that he could seek re-employment with the University.

Unsatisfied, Parker filed a complaint with the Equal Employment Opportunity Commission ("EEOC") in November 1991. The EEOC in April 1992 dismissed his complaint and issued him a right-to-sue letter. Parker then filed this suit in July 1992. The defendants moved for dismissal or, alternatively, summary judgment in July 1993. The district court granted the defendants' motion in

May 1994. Parker now appeals.

II.

Parker argues on appeal that the district court failed to give adequate attention to the evidence when it issued its ruling. We are satisfied, however, that the district court thoroughly and meticulously reviewed the evidence.<sup>1</sup> In addition, we have read the briefs and the record on appeal and are convinced that the district court's 32-page memorandum opinion, which contains a detailed examination of the evidence and an analysis of the applicable law, is well-reasoned and reaches the proper result. The judgment of the district court therefore is AFFIRMED.

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<sup>1</sup>At the time of the court's ruling in May 1994, the parties had conducted discovery for at least eight months. The record included twelve depositions, 32 interrogatories, 147 requests for admissions, seven affidavits and extensive document production.