

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Summary Calendar
No. 95-50884

AUGUST BUTLER,

Plaintiff-Appellant,

versus

INTERNATIONAL UNION OF ELEVATOR CONSTRUCTORS LOCAL #81; NATIONAL
ELEVATOR INDUSTRY EDUCATIONAL PROGRAM; NATIONAL ELEVATOR INDUSTRY,
INC.; INTERNATIONAL UNION OF ELEVATOR CONSTRUCTORS; MONTGOMERY
ELEVATOR COMPANY; OMNI ELEVATOR SERVICE CO.; DOVER ELEVATOR COL; A-
1 ELEVATOR SERVICE; OTIS ELEVATOR COMPANY; SCHLINDER ELEVATOR
CORP.; ESCO ELEVATOR, INC.,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Texas
(SA-93-CV-305)

July 11, 1997

Before JONES, DeMOSS, and PARKER, Circuit Judges.

Per Curiam:*

August Butler filed suit alleging that eleven defendants
had discriminated against him in violation of Title VII of the
Civil Rights Act of 1964. 42 U.S.C. § 2000e, et. seq. As to all

* 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opinion should not be published and is not precedent except under the limited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.

the defendants except the International Union of Elevator Constructors Local Union #81, the district court adopted the magistrate judge's recommendation that Butler's claims be dismissed without prejudice. Butler's EEOC complaint named Local Union #81 as the only respondent, thus the district court concluded that Butler had failed to exhaust his administrative remedies as to the other eleven defendants. See 42 U.S.C. § 2000e-5(f)(1). The district court also granted summary judgment for Local Union #81 on the grounds that Butler had not produced any evidence that its actions were racially motivated.

Pursuing his appeal pro se and in forma pauperis, Butler alleges numerous points of error, arguing that the district court erred by dismissing his claims on exhaustion grounds, denying motions to compel discovery, and denying relief from the judgment "when fraud and perjury had been perpetrated upon the district court."

Having reviewed the briefs and the record, we find no error in the resolution of this case by the magistrate judge and the district court. For essentially the reasons articulated in its orders, the decisions of the district court are

AFFIRMED.