

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 95-60449
Summary Calendar

ROBERT SUPINGER,

Plaintiff-Appellant,

VERSUS

SIEMENS ENERGY AND AUTOMATION, INC.,

Defendant-Appellee.

Appeal from the United States District Court
For the Southern District of Mississippi
(3:94CV225LN)

January 16, 1996

Before DAVIS, BARKSDALE, and DeMOSS, Circuit Judges.

PER CURIAM:*

Supinger sued his employer, Siemens Energy, claiming he was discharged because of his age in violation of the ADEA and that subsequently, after performing work for Siemens Energy as a temporary consultant in the employment of Forse Temporary Agency, he was terminated again for having filed an EEOC claim. Siemens

* Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Energy filed a motion for summary judgment and the district court granted the motion.

We have carefully read the briefs and the record excerpts and relevant portions of the summary judgment record, including the deposition testimony of Supinger. For the reasons thoroughly and carefully set forth by the district court in its Memorandum Opinion and Order filed on June 23, 1995, we are satisfied that the district judge correctly determined (1) that Supinger failed to raise a genuine issue of material fact as to his age being a determinative factor in his initial discharge and (2) that Supinger failed to raise a genuine issue of fact as to retaliation for filing an EEOC claim being a reason for the termination of his temporary consulting contract.

Accordingly, we **AFFIRM** the final judgment in favor of Siemens Energy filed on June 29, 1995.

AFFIRMED.