

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50314
(Summary Calendar)

FRANKLIN RAMPERSAD

Plaintiff-Appellant

versus

SHEILA E. WIDNALL,
Secretary Air Force,
Department of the Air Force,

Defendant-Appellee.

Appeal From the United States District Court
for the Western District of Texas, San Antonio Division
(SA-95-CV-506)

October 9, 1996

Before HIGGINBOTHAM, WIENER and BENAVIDES, Circuit Judges.

PER CURIAM:*

This is an appeal from the district court's grant of summary judgment in favor of Defendant-Appellee Sheila E. Widnall, Secretary of the Department of the Air Force, on Plaintiff-Appellant Franklin Rampersad's Title VII discrimination and retaliation claims. Rampersad asserts that the district court

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

erred in determining that insufficient summary judgment evidence exists to create a genuine issue of material fact as to whether the Air Force's articulated non-discriminatory and non-retaliatory reasons for his firing, i.e., his repeated acts of misconduct, including unauthorized absence, insolence, misrepresentation and insubordination, were pretextual.

In conducting our de novo review, we carefully evaluated the record on appeal, the arguments of counsel for both parties as set forth in their respective briefs to this court, and the applicable law, and we have come to the same conclusions as did the district court in its well-reasoned opinion. We therefore affirm in all respects the district court's grant of summary judgment for the reasons expressed in that opinion.

AFFIRMED.