

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 97-40101
Summary Calendar

THOMAS GREISAMER, MD

Plaintiff-Appellant,

VERSUS

UNIVERSITY OF TEXAS MEDICAL SCHOOL AT GALVESTON; GEORGE T. BRYAN,
MD; JOAN C. LANG, MD; JAN BLALAOCK, PhD

Defendants-Appellants.

Appeal from the United States District Court
For the Southern District of Texas
(G-96-CV-18)

May 30, 1997

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:¹

Plaintiff-Appellant sought damages from Defendants-Appellees claiming discrimination under Title IX, Title VII and § 1983, and the Age Discrimination in Employment Act. Defendants moved to dismiss and for summary judgment. The district court granted the motion to dismiss as to Bryan, Lang and Blaylock and as to all

¹Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

defendants dismissed claims asserted under § 1983. Appellant does not argue these claims or his Title IX claim on appeal. The district court granted summary judgment in favor of the University and only the claims against it under Title VII and the ADEA remain. We have conducted a de novo review of the record and find no error.

Plaintiff offered no competent evidence to create any issue of material fact. Additionally, the University offered a non-pretextual reason for not renewing Dr. Greisamer's contract as a resident in psychiatry. Appellant contends that the district court terminated discovery thereby depriving him of the opportunity to gain information to create an issue of fact. This argument is not persuasive. There were ten months during which discovery was conducted. Additionally, Plaintiff did not suggest to the trial court that he needed more time for discovery, nor does he suggest to this court what information he would expect more discovery to produce that he could use to create an issue of material fact.

AFFIRMED.