

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-10375
Summary Calendar

GERALD G. FLORENCE,

Plaintiff-Appellant,

VERSUS

WILLIAM J. HENDERSON,
U.S. Postal Service Postmaster General,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
(3:95-CV-1396-D)

January 20, 2000

Before DAVIS, EMILIO M. GARZA and DENNIS, Circuit Judges.

PER CURIAM:*

Florence filed this suit against the Postmaster General seeking damages for transferring him involuntarily to what he considered an undesirable work location. Florence alleged that the Postal Service transferred him for two reasons: (1) because he was handicapped and (2) in retaliation for filing Equal Employment Opportunity complaints. Following a bench trial, the district court found that the Postal Service did not transfer Florence for either of these reasons. To the contrary, the court found that the transfer was made to balance work loads among employees and for

*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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

budgetary considerations. These findings are amply supported by the record and are not clearly erroneous.

The judgment of the district court is therefore
AFFIRMED.