

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20700
Summary Calendar

MICHAEL MADISON,

Plaintiff-Appellant,

VERSUS

HOUSTON INDEPENDENT SCHOOL DISTRICT;
BOARD OF EDUCATION FOR HISD; DR. ROD PAIGE,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(H-97-CV-3625)

January 10, 2000

Before HIGGINBOTHAM, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

Michael Madison filed suit against the Houston Independent School District ("District"), Board of Education for the District ("Board"), and Dr. Rod Paige, Superintendent of the District, alleging that he was terminated in violation of his First Amendment right to freedom of speech and Fourteenth Amendment right to due process in violation of 42 U.S.C. § 1983. Madison also asserted

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

identical claims under the Texas Constitution as well as breach of contract claim under state common law. The District and other defendants answered asserting that Madison was terminated for violation of the District's policy forbidding corporal punishment based on a finding that he struck a student in the chest with a paddle. The district court granted the District's motion for summary judgment and Madison appealed.

We have carefully reviewed the briefs, the record excerpts and relevant portions of the summary judgment record itself. For the reasons stated by the district court in its Order entered under date of April 22, 1999, we AFFIRM the Final Judgment entered on April 22, 1999, which granted summary judgment in favor of the defendants.

AFFIRMED.