

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-31364
Summary Calendar

SANDRA S. PULLAM,

Plaintiff-Appellant,

versus

ALBERMARLE CORP.,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 97-CV-709-A

May 10, 2000

Before JOLLY, JONES, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Appellant, Sandra S. Pullam, appeals from a summary judgment dismissing her age discrimination claim against appellee, Albermarle Corporation. The district court concluded that Pullam had failed to establish even a prima facie case of discrimination and, alternatively, that Pullam failed to create a fact issue through competent proof that appellee's non-discriminatory reason for termination was a pretext for age discrimination.

Although Pullam's argument on appeal deals almost

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

exclusively with the district court's pretext finding, we have liberally construed her brief to include an attack on the district court's finding that she failed to establish a prima facie case. Our *de novo* review of the summary judgment record, the court's judgment, and the arguments raised on appeal lead us to conclude that the district court did not err in dismissing Pullam's suit. We affirm the judgment essentially for the reasons set forth in the Ruling on Motion for Summary Judgment signed September 9, 1999 and the ruling on Motion for Reconsideration signed by Judge Parker, dated November 23, 1999. Finally, we deny appellee's request for damages and double costs pursuant to Fed. R. App. Proc. 38.

AFFIRMED, request for damages and double costs DENIED.