

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 99-60004
Summary Calendar

CURTIS L. ANDERSON,

Plaintiff-Appellant,

versus

MISSISSIPPI STATE DEPARTMENT OF HEALTH,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Mississippi
(4:97-CV-23-B-B)

August 18, 1999

Before POLITZ, JONES, and WIENER, Circuit Judges.

PER CURIAM:*

Curtis L. Anderson appeals an adverse summary judgment granted the Mississippi State Department of Health (“MSDH”). Anderson, currently employed by MSDH, sued alleging unlawful race and sex discrimination in violation of Title VII, 42 U.S.C. § 2000e *et seq.*, and retaliation for conduct protected by Title VII. The claims asserted arose from the denial of Anderson’s request for a demotional transfer during a budgetary freeze, and the interim decision of MSDH to change the job requirements for the position, thus rendering Anderson unqualified.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

In a model succinct and thorough opinion, the trial court held that Anderson had failed to offer evidence to rebut MSDH's legitimate, nondiscriminatory reason for declining to transfer him and that he had failed to establish a prima facie case of unlawful retaliation. Having reviewed the briefs and pertinent parts of the record, and on the facts as found, authorities cited, and analysis made by the district court in its Memorandum Opinion signed on December 7, 1998, and filed on December 9, 1998, the judgment appealed is AFFIRMED.