

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40746
(Summary Calendar)

FREDDY L. WALKER,

Plaintiff-Appellant,

versus

BAPTIST HOSPITAL-ORANGE TEXAS; TERRY
WILLIAMS, Director of Support Services;
BUDDY BROWN, Head of Department of
Maintenance; MIKE DANIELS, Supervisor of
Engineering,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
(1:97-CV-662)

July 12, 2000

Before POLITZ, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

Plaintiff-Appellant Freddy L. Walker appeals from the district court's grant of summary judgment dismissing his action against Defendants-Appellees. In connection with his appeal, Walker has filed a motion with this court for leave to file an offer of settlement of claims. We deny his motion and affirm the judgment of the district court.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

I.

FACTS AND PROCEEDINGS

After being fired from his maintenance job by Baptist Hospital, Orange, Walker sued the hospital and the other Defendants-Appellees, claiming racial discrimination in his firing as well as false imprisonment and defamation. He was fired immediately after being charged with stealing food from the hospital cafeteria. Walker insists, however, that he was fired because of an altercation he had had with the cafeteria supervisor several weeks earlier, after which he had refused to sign a write-up. He also alleges that he was set up by a cafeteria worker who, like Walker, is black, when that worker gave him permission to take the subject food item then denied it. Walker avers that this particular cafeteria worker had a pattern of setting up her fellow black co-workers for termination.

The district court dismissed Walker's claims of false imprisonment and defamation as time barred. Its grant of summary judgment dismissing the racial discrimination claim was grounded in Walker's failure to establish a prima facie case and, in the alternative, on the absence of proof of any racial component in the bases that Walker asserts as the hospital's real reasons for firing him.

II.

ANALYSIS

We have carefully considered the operable facts and applicable law in this case as reflected in the record on appeal, the briefs

filed by the parties, and the Amended Memorandum Opinion of the district court. As a result, we are convinced that the district court committed no reversible error in granting summary judgment and, indeed, correctly granted that judgment dismissing Walker's claims for the right reason. Even though our review is de novo, we conclude that nothing would be gained by writing separately. We therefore affirm the judgment and all rulings of the district court for the reasons set forth in the thorough and craftsmanlike opinion of that court. We also deny all pending motions, including without limitation Walker's motion for leave to file a motion for offer of settlement.

AFFIRMED; MOTIONS DENIED.