

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

m 00-20940

W. SUE LEFALL,

Plaintiff,

W. SUE LEFALL,

Plaintiff-Appellant,

VERSUS

BOARD OF REGENTS OF TEXAS SOUTHERN UNIVERSITY;

WILLARD L. JACKSON,

IN HIS OFFICIAL CAPACITY AS CHAIRMAN OF THE BOARD OF REGENTS
OF TEXAS SOUTHERN UNIVERSITY;

JAMES M. DOUGLAS,

IN HIS OFFICIAL CAPACITY AS PRESIDENT OF TEXAS SOUTHERN UNIVERSITY AND INDIVIDUALLY;
HAROLD ODOM, INDIVIDUALLY; EDWARD GANTT, INDIVIDUALLY; AND KENNETH W.
JACKSON, INDIVIDUALLY,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(H-98-CV-2824)

June 8, 2001

Before SMITH, DUHÉ, and WIENER,
Circuit Judges.

PER CURIAM:*

W. Sue Lefall sued the Board of Regents of Texas Southern University and certain of its officials for sex discrimination under title VII and for deprivation of substantive and procedural due process under 42 U.S.C. § 1983. The district court entered summary judgment in favor of defendants, and Lefall appeals only under § 1983.

We have reviewed the briefs and applicable law and pertinent portions of the record and have heard the arguments of counsel. We conclude that Lefall has made no showing of any actions that colorably amount to a constitutional violation. Plainly, defendants took no action that can fairly be described as arbitrary and capricious, even assuming that the parties were bound by the 1985 staff manual that permitted disciplinary action only for just cause. Moreover, Lefall received all process she was due to ensure her an opportunity to vindicate her rights. Absent a valid constitutional claim, there is no need to visit the issue of qualified immunity.

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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