

May 7, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-20730

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GLENN E. JONES,

Plaintiff-Appellant,

versus

ALDINE INDEPENDENT SCHOOL DISTRICT,

Defendant-Appellee.

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Appeal from the United States District Court  
For the Southern District of Texas, Houston

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(H-01-CV-3131)

Before HIGGINBOTHAM, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

With the benefit of able oral argument, we are persuaded to affirm the summary judgment granted by the district court. While we are persuaded that a prima facie case was likely made, we must conclude that there is no genuine issue of material fact but that Jones's contract would not have been renewed even if he had engaged in no protected activity.

AFFIRMED.

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\* Pursuant to 5<sup>th</sup> Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>th</sup> Cir. R. 47.5.4.