

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10346
Summary Calendar

CURTIS BROADNAX,

Plaintiff-Appellant,

VERSUS

LONE STAR GAS COMPANY, A DIVISION OF ENSERCH CORPORATION,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
(3:94-CV-752-D)

December 11, 1995

Before DAVIS, BARKSDALE, and DeMOSS, Circuit Judges.

PER CURIAM:¹

In this action claiming race discrimination in his discharge from his accountant position, in violation of Title VII of the Civil Rights Act of 1967, 42 U.S.C. § 2000e *et seq.*, Curtis Broadnax, *pro se*, challenges the district court's denial of his motion for appointment of counsel and the summary judgment granted his employer, Lone Star Gas Co. (Broadnax did not respond to the summary judgment motion.) We conclude that the district court did

¹ Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.

not abuse its discretion in denying appointment of counsel. And, for the reasons stated in the district court's opinion (it assumed *arguendo* that Broadnax established a *prima facie* case), we conclude, based on our *de novo* review, that the summary judgment was proper. Accordingly, we

AFFIRM.