

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 95-20844
Summary Calendar

DONALD R. TEZINO, JR.,

Plaintiff-Appellant,

VERSUS

E. I. DUPONT DE NEMOURS AND COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
(CA-H-94-332)

July 16, 1996

Before DAVIS, BARKSDALE, and DeMOSS, Circuit Judges.

PER CURIAM:*

Donald R. Tezino, Jr. ("Tezino") who is an African-American sued his employer, E.I. Dupont De Nemours and Company ("Dupont"), claiming that he was discriminated against in his employment advancement because of his race in violation of Title VII of the Civil Rights Act of 1965, as amended. His claim was presented by agreement as a bench trial before the district court. At the

Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

conclusion of Tezino's testimony, the district court ruled that there was no evidence upon which his claim of racial discrimination could be based and entered an order of dismissal under FED. R. CIV. P. 52(c).

We have carefully reviewed the briefs, the record excerpts and relevant portions of the record itself and the findings of fact and conclusions of law entered by the district court in its order of dismissal under date of September 11, 1995. We are unable to say that any of the findings of fact or conclusions of law of the district court were either clearly erroneous or erroneous, as applicable; and accordingly we affirm the final judgment entered by the district court under date of September 11, 1995.

AFFIRMED.