

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-60224  
Summary Calendar

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GREG DANIEL SIMMONS,

Plaintiff-Appellant,

versus

UNIVERSITY OF SOUTHERN MISSISSIPPI;  
VERNETTA P. FAIRLEY,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 2:93-CV-148  
- - - - -

December 1, 1995

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:\*

Greg Daniel Simmons appeals from the district court's order dismissing his complaint with prejudice. He argues that he presented sufficient evidence of discrimination, that the defendants failed to accommodate his disability, and that the district court erred in granting the defendants' motion to quash his subpoenas duces tecum. Our review of the record reveals that the evidence amply supports the district court's findings that

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\* 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 Pursuant to that Rule, the court has determined that this opinion should not be published.

Simmons was discharged because he made excessive errors and not for any discriminatory reason. Those findings are not clearly erroneous. We also conclude that the district court did not abuse its discretion in granting the defendants' motion to suppress.

AFFIRMED.