

**UNITED STATES COURT OF APPEALS
For the Fifth Circuit**

No. 98-20143

DAVID JOSEPH VAPPIE,

Plaintiff-Appellant,

VERSUS

**WILLIAM A. HENDERSON, Post Master; AND
STAN SARTAIN**

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(H-97-CV-1333)

May 26, 1999

Before KING, Chief Judge, REYNALDO G. GARZA, and JOLLY, Circuit Judges.

PER CURIAM:¹

Three issues are raised by the Appellant, David Joseph Vappie (“Vappie”), on appeal: (1) whether the district court erred in granting summary judgment in favor of the United States Postal Service (“Postal Service”) on Vappie’s race discrimination claim; (2) whether the district court abused its discretion in denying Vappie’s motion for a continuance; and (3) whether the district court erred in granting summary judgment in favor of the Postal Service on Vappie’s hostile work environment claim. After reviewing the record, the parties’ briefs, the district

¹Pursuant 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

court's opinion, and hearing oral argument, we conclude that the district court did not err in its findings of fact or in its application of the law. Accordingly, we AFFIRM the district court's holdings.