

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 97-50163
Summary Calendar

DAVID SILVA,

Plaintiff-Appellant,

VERSUS

CITY OF SEGUIN,

Defendant-Appellee.

Appeal from the United States District Court
For the Western District of Texas

(SA-95-CV-1148)

September 9, 1997

Before DUHÉ, DeMOSS, and DENNIS, Circuit Judges.

PER CURIAM:*

Silva filed suit against his former employer, the City of Seguin, alleging wrongful discharge, breach of contract (the employee handbook), violation of due process, violation of the duty of good faith and fair dealing, violation of his right to free

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

speech under the Texas and United States Constitutions and violation of the Texas Whistleblower Statute. After appropriate discovery, the City of Seguin moved for summary judgment. At the summary judgment hearing, Silva abandoned two of his claims and the district court granted summary judgment in favor of the City of Seguin on the remainder of his claims.

We have carefully reviewed the briefs, the reply brief, the record excerpts and relevant portions of the record itself. For the reasons stated by the district court in its Order filed January 2, 1997, we find that summary judgment for the defendant was appropriate. Accordingly, the Final Judgment entered January 2, 1997, is

AFFIRMED.