

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 98-31050  
Summary Calendar

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JAMES B. MANDA,

Plaintiff-Appellant,

VERSUS

LOUISIANA HEALTH SERVICE AND INDEMNITY COMPANY,  
doing business as Blue Cross/Blue Shield of Louisiana,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Middle District of Louisiana  
(97-CV-760)

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July 7, 1999

Before DAVIS, DUHÉ and PARKER, Circuit Judges.

PER CURIAM:<sup>1</sup>

Appellant sues his former employer alleging violations of the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the Louisiana Human Rights Act. The district court granted summary judgment in favor of Appellee on all counts, and denied Appellant's Motion For Summary Judgment on his Disabilities Act claim.

On appeal, Appellant contends that the district court erred in these decisions for numerous reasons including: misapprehending the testimony of Herschel Adcock; finding that Appellant's position was

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<sup>1</sup>Pursuant to 5<sup>TH</sup> 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.

not filled upon his termination when an independent consultant was hired to do lobbying work on an "as needed" basis; finding that Appellant had failed to create an issue of material fact that the reason proffered for his termination was a pretext for age and disability discrimination; and finding that appellant did not raise a material fact issue that he suffers from a covered disability.

We have carefully reviewed the parties' briefs, the record and the law and we find no reversible error by the district court. Accordingly we affirm essentially for the reasons stated by the district court.

AFFIRMED.