

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-2968

Willie Mason, Jr.,

Appellant,

v.

Sears, Roebuck and Company,

Appellee,

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: January 20, 2000

Filed: January 25, 2000

Before LOKEN, FAGG, and HANSEN, Circuit Judges.

PER CURIAM.

Willie Mason, Jr., a black male, appeals the district court's¹ grant of summary judgment to his former employer, Sears, Roebuck and Company (Sears), dismissing his 42 U.S.C. § 1981 employment discrimination action. After careful review of the summary judgment record, we agree with the district court that Mason failed to present direct evidence of discrimination, failed to present sufficient evidence of a prima facie

¹The HONORABLE STEPHEN M. REASONER, United States District Judge for the Eastern District of Arkansas.

case of racial discrimination, and failed to show that Sears's legitimate, nondiscriminatory reason for terminating him was pretextual. See Roxas v. Presentation College, 90 F.3d 310, 315 (8th Cir. 1996) (Title VII burden-shifting analysis applies to § 1981 claims). Accordingly, reviewing the grant of summary judgment de novo, see Lynn v. Deaconess Med. Ctr.-W. Campus, 160 F.3d 484, 486 (8th Cir. 1998), we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U. S. COURT OF APPEALS, EIGHTH CIRCUIT.