

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-1254

Gary Brown,

Appellant,

v.

Arkansas State Highway &
Transportation Department,

Appellee.

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* Appeal from the United States

* District Court for the

* Western District of Arkansas.

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* [UNPUBLISHED]

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Submitted: February 7, 2006

Filed: February 15, 2006

Before ARNOLD, BYE, and SMITH, Circuit Judges.

PER CURIAM.

Gary Brown appeals the district court's¹ adverse grant of summary judgment in his employment-discrimination action. We agree with appellee that Brown has failed to comply with the rules related to briefing, see Harris v. Folk Constr. Co., 138 F.3d 365, 366-67 n.1 (8th Cir. 1998) (failure to assert in brief grounds for reversal of certain orders amounts to waiver of issues on appeal), and the only issue he appears to raise--his counsel's purportedly deficient performance--is not a basis for reversal,

¹The Honorable Robert T. Dawson, United States District Judge for the Western District of Arkansas.

see Glick v. Henderson, 855 F.2d 536, 541 (8th Cir. 1988). Even if the merits were properly before us, we agree with the district court's application of the law to the evidence contained in the summary judgment record. See Gilooly v. Mo. Dep't of Health & Human Servs., 421 F.3d 734, 738 (8th Cir. 2005) (de novo standard of review).

Accordingly, we affirm. See 8th Cir. R. 47B.
