

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 99-3561

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Melynda Parish,

Plaintiff - Appellant,

v.

Gateway 2000, Inc.,

Defendant - Appellee.

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\* Appeal from the United States  
\* District Court for the  
\* District of South Dakota.  
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\* **[UNPUBLISHED]**  
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Submitted: June 14, 2000

Filed: July 14, 2000

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Before LOKEN, BRIGHT, and ROSS, Circuit Judges.

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PER CURIAM.

Melynda Parish began working for Gateway 2000, Inc., as a customer service technician in December 1995. Over the next eleven months, she was repeatedly absent from work, late for work, and tardy in returning from breaks and lunches. Gateway terminated her in November 1996, and Parish commenced this Title VII action, claiming that her supervisor's sexual harassment had created a hostile work environment and that her termination was in retaliation for complaining about the

supervisor's offensive conduct. The district court<sup>1</sup> granted Gateway's motion for summary judgment and dismissed Parish's complaint, concluding that the supervisor's conduct was neither severe nor pervasive enough to create a hostile work environment; that Parish had failed to show that Gateway's stated reason for her termination -- repeated non-compliance with its work attendance policy -- was a pretext for retaliation discrimination; and that Parish had no evidence to support her state law claim of negligent employee training and supervision. Parish appeals, arguing the district court erred in granting summary judgment because there are genuine issues of material fact regarding her hostile work environment, retaliation, and negligence claims. After careful review of the record, we affirm for the reasons stated in the district court's Memorandum Opinion and Order dated August 11, 1999. See 8th Cir. Rule 47B.

A true copy.

Attest:

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

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<sup>1</sup>The HONORABLE JOHN B. JONES, United States District Judge for the District of South Dakota.