

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

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No. 99-4256

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Roderick Dodson,

Appellant,

v.

City of St. Louis,

Appellee.

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

[UNPUBLISHED]

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Submitted: June 14, 2000

Filed: August 14, 2000

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Before BOWMAN, FLOYD R. GIBSON,<sup>1</sup> and MORRIS SHEPPARD ARNOLD,  
Circuit Judges.

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PER CURIAM.

Roderick Dodson, a black firefighter, sued the City of St. Louis, claiming that he had been discriminated against on the basis of race when he was suspended for eight hours without pay for losing his radio. *See* 42 U.S.C. § 1981(a), § 2000e-2(a), § 2000e-5(f), and Mo. Rev. Stat. § 213.055.1(1)(a). He alleged that white firefighters who lost their radios were typically disciplined less harshly for the same action.

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<sup>1</sup>Complications from an automobile accident have prevented Judge Gibson from reviewing this opinion prior to its being filed.

The city moved for summary judgment, proffering evidence that for the five years previous to Mr. Dodson's suspension firefighters in St. Louis, regardless of race, had suffered the penalty that Mr. Dodson complains of here. Mr. Dodson offered no evidence to the contrary; in fact, he offered no evidence at all in opposition to the city's motion, and did not move for additional time under Fed. R. Civ. P. 56(f). The district court<sup>2</sup> granted summary judgment to the city.

Since Mr. Dodson offered no evidence in support of his opposition to summary judgment, it is plain that there was no error in awarding summary judgment to the city. We therefore affirm. *See* 8th Cir. R. 47B.

A true copy.

Attest:

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

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<sup>2</sup>The Honorable Charles A. Shaw, United States District Judge for the Eastern District of Missouri.