

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

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No. 00-3663

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Jeffrey J. Wells,

Appellant,

v.

John Ashcroft, et al.,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* Southern District of Iowa.

\* **[UNPUBLISHED]**

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Submitted: April 25, 2001

Filed: April 27, 2001

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Before BOWMAN, BEAM, and LOKEN, Circuit Judges.

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PER CURIAM.

After an unsuccessful appeal to the Merit Systems Protection Board, Jeffrey J. Wells brought this pro se action against the Attorney General and the Immigration and Naturalization Service (INS), alleging that age discrimination caused the rejection of his application for a Border Patrol Agent position. The district court<sup>1</sup> granted summary judgment in favor of defendants, concluding that Wells had not established a prima facie case of age discrimination, that INS had articulated a legitimate, non-

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<sup>1</sup>THE HONORABLE RONALD E. LONGSTAFF, Chief Judge of the United States District Court for the Southern District of Iowa.

discriminatory reason for rejecting his application, and that Wells had failed to show pretext. Wells appeals. After careful *de novo* review of the summary judgment record, we affirm for the reasons stated in the district court's order dated October 6, 2000. See 8th Circuit Rule 47B.

A true copy.

Attest:

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