

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-1610

Phoebe M. Hudspeth,

Appellant,

v.

Spectra Communications Group, LLC,

Appellee.

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

[UNPUBLISHED]

Submitted: December 3, 2003

Filed: December 12, 2003

Before BYE, BOWMAN, and MELLOY, Circuit Judges.

PER CURIAM.

Phoebe M. Hudspeth appeals the District Court's¹ adverse grant of summary judgment in her employment-discrimination action against Spectra Communications Group, LLC (SCG). Having carefully reviewed the record, see Jacob-Mua v. Veneman, 289 F.3d 517, 520 (8th Cir. 2002) (standard of review), we affirm.

¹The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.

To the extent Hudspeth is arguing that summary judgment was prematurely granted, she neither moved to compel the production of documents, nor requested a continuance under Federal Rule of Civil Procedure 56(f). See Dulany v. Carnahan, 132 F.3d 1234, 1238 (8th Cir. 1997) (where shelter is not sought under Rule 56(f), court generally does not abuse its discretion in granting summary judgment on record before it). We agree with the District Court's decision to consider all of SCG's supporting documents, see Wolff v. Brown, 128 F.3d 682, 685 (8th Cir. 1997) (in employment-discrimination cases, internal documents relied on by employer in making decision are not offered for truth of matter asserted, but instead to explain employer's conduct), and with the Court's well-reasoned conclusion that Hudspeth failed to create trial-worthy issues on the merits of her claims against SCG.

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