

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

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No. 04-1528

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Earnie Howell,

Appellant,

v.

Arkansas Employment Security  
Department; Rhonda Dortch, in her  
official and individual capacity,

Appellees.

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

[UNPUBLISHED]

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Submitted: January 14, 2005

Filed: May 2, 2005

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Before LOKEN, Chief Judge, HANSEN and MORRIS SHEPPARD ARNOLD,  
Circuit Judges.

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PER CURIAM.

Earnie Howell worked for the Arkansas Employment Security Department as the office manager of the Jonesboro office. In September 2001, he was transferred to the position of office manager of the Walnut Ridge office, a somewhat smaller office approximately twenty-five miles away. Howell retained the same grade, pay, and benefits. He sued the Arkansas Employment Security Department and its area operations chief, Rhonda Dortch, alleging age and sex discrimination.

The district court<sup>1</sup> granted summary judgment to the defendants, concluding that the transfer did not constitute an adverse employment action. Howell appeals.

The district court correctly concluded that, under the uncontroverted facts of the case at bar, the transfer was not an adverse employment action. See, e.g., Curby v. Solutia, Inc., 351 F.3d 868, 874 (8th Cir. 2003); Jones v. Fitzgerald, 285 F.3d 705, 714 (8th Cir. 2002); Hoffman v. Rubin, 193 F.3d 959, 964 (8th Cir. 1999); Montandon v. Farmland Indus., Inc., 116 F.3d 355, 359 (8th Cir. 1997).

Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

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<sup>1</sup> The Honorable James M. Moody, United States District Judge for the Eastern District of Arkansas.