

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

No. 98-1446

Julius Perry,

Plaintiff - Appellant,

v.

Marvin Runyon, in his official
capacity as Postmaster General of
the United States,

Defendant - Appellee.

*
*
*
*
* Appeal from the United States
* District Court for the
* Western District of Missouri.
*
* [UNPUBLISHED]
*
*

Submitted: September 17, 1999

Filed: November 4, 1999

Before RICHARD S. ARNOLD and LOKEN, Circuit Judges, and SIPPEL,* District Judge.

PER CURIAM.

Julius Perry was terminated by the United States Postal Service in July 1995 for an incident in which he was “argumentative, loud and screaming at your supervisor,” and for his many prior instances of abusive and disruptive behavior. After exhausting

*The HONORABLE RODNEY W. SIPPEL, United States District Judge for the Eastern and Western Districts of Missouri, sitting by designation.

his administrative remedies, including unsuccessful arbitration, Perry commenced this action against the Postmaster General, alleging that the termination was motivated by age, race, and disability discrimination, and was unlawful retaliation for Perry's EEO complaints and successful appeal to the Merit Systems Protection Board in the late 1980's. The district court¹ granted summary judgment dismissing all his claims. Perry appeals the dismissal of his unlawful retaliation claim, arguing that a jury could find that he was fired for his prior discipline problems, and that there was a causal relation between this adverse employment action and his prior EEO complaints.

After careful review of the record, giving Perry the benefit of all inferences that may reasonably be drawn from the evidence and reviewing the grant of summary judgment *de novo*, we affirm for the reasons stated in the district court's Order dated November 26, 1997.

A true copy.

Attest:

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

¹The HONORABLE ORTRIE D. SMITH, United States District Judge for the Western District of Missouri.