

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

File Name: 04a0030n.06

Filed: October 15, 2004

No. 03-5831

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

REBECCA SHIPLEY,)	
)	
Plaintiff-Appellant,)	ON APPEAL FROM THE
)	UNITED STATES DISTRICT
v.)	COURT FOR THE MIDDLE
)	DISTRICT OF TENNESSEE
STATE INDUSTRIES, INC.,)	
)	MEMORANDUM
Defendant-Appellee.)	OPINION

BEFORE: NORRIS and DAUGHTREY, Circuit Judges; and OLIVER, District Judge.*

PER CURIAM. Plaintiff, Rebecca Shipley, appeals from the district court's grant of summary judgment to defendant, State Industries, Inc., in her action alleging violation of the Pregnancy Discrimination Act of 1978, 42 U.S.C. § 2000e(k) and related Tennessee statutes. The district court concluded that plaintiff had failed to establish a prima facie case of discrimination; and that even had plaintiff done so, she failed to rebut defendant's articulation of a legitimate non-discriminatory reason for its conduct.

Having had the benefit of oral argument and having carefully considered the record on appeal, the briefs of the parties, and the applicable law, we are not persuaded that the district court erred in granting summary judgment to defendant.

*The Honorable Solomon Oliver, Jr., United States District Judge for the Northern District of Ohio, sitting by designation.

No. 03-5831
Shiple v. State Indus.

Because the reasoning which supports the district court's conclusion that plaintiff failed to rebut defendant's articulation of a legitimate non-discriminatory reason for its conduct has been set out by the district court, the issuance of a detailed written opinion by this court would be duplicative and serve no useful purpose. Accordingly, the judgment of the district court is affirmed upon the reasoning employed by that court in that portion of its memorandum opinion discussing plaintiff's failure to rebut defendant's articulation of a legitimate non-discriminatory reason for its conduct.