

**NOT RECOMMENDED FOR FULL-TEXT PUBLICATION**

**File Name: 14a0044n.06**

**No. 13-3111**

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



|                                   |   |                        |
|-----------------------------------|---|------------------------|
| DIANA ELIZABETH GUETHLEIN,        | ) |                        |
|                                   | ) |                        |
| Plaintiff-Appellant,              | ) | ON APPEAL FROM THE     |
|                                   | ) | UNITED STATES DISTRICT |
| v.                                | ) | COURT FOR THE SOUTHERN |
|                                   | ) | DISTRICT OF OHIO       |
| UNITED STATES POSTMASTER GENERAL, | ) |                        |
|                                   | ) |                        |
| Defendant-Appellee.               | ) |                        |
| _____                             | ) |                        |

BEFORE: CLAY, ROGERS, Circuit Judges, and LUDINGTON, District Judge.\*

ROGERS, Circuit Judge. Plaintiff Diana Guethlein, a postal service employee, appeals from an order of summary judgment granted by the district court in favor of defendant, the United States Postmaster General. Ms. Guethlein sued under Title VII and the Rehabilitation Act of 1973, alleging retaliation in the form of a disciplinary action (called a “suspension,” but involving no loss of work or pay) for repeated refusal to respond to correspondence from her employer while on leave under the Family Medical Leave Act, but allegedly because of a previous unsuccessful EEOC complaint. The district court adopted the Magistrate Judge’s conclusions rejecting plaintiff’s claims, and granted summary judgment to defendant.

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\*The Honorable Thomas L. Ludington, Eastern District of Michigan, sitting by designation.

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*Diana Guethlein v. United States Postmaster General*

This court has received the benefit of briefing and oral argument, and has determined that no purpose would be served by elaborating on the reasoning of the district court rejecting plaintiff's arguments.

The judgment of the district court is AFFIRMED for the reasons given by the district court in its published opinion of December 20, 2012. *Guethlein v. Donahoe*, 913 F. Supp. 2d 480 (S.D. Ohio 2012).