

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

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**JUN 7 2001**

**PATRICK FISHER**  
Clerk

WILLIAM HALL,

Plaintiff-Appellant,

v.

FLIGHT SAFETY  
INTERNATIONAL, INC.,

Defendant-Appellee.

No. 00-3239  
(D.C. No. 98-CV-4026-CM)  
(D. Kan.)

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**ORDER AND JUDGMENT** \*

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Before **EBEL**, **ANDERSON**, and **KELLY**, Circuit Judges.

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After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

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\* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

William Hall appeals from the district court's grant of summary judgment to defendant on claims of employment discrimination pursuant to Title VII, the ADEA, and 28 U.S.C. § 1981; retaliation; and hostile work environment. The parties are familiar with the underlying facts; we need not repeat them here. This court has jurisdiction as a result of 28 U.S.C. § 1291, and reviews the district court's summary judgment decision *de novo*, applying the same standards as that court pursuant to Rule 56(c). *Gossett v. Okla. ex rel. Bd. of Regents*, 245 F.3d 1172, 1175 (10th Cir. 2001).

On appeal, appellant presents four issues, arguing that: 1) the district court erred in barring one of his § 1981 claims on statute of limitations grounds; 2) he has presented sufficient evidence of pretext precluding summary judgment on his failure-to-promote claims based on racial discrimination; 3) he has made out a prima facie case of retaliation; and 4) he has demonstrated the existence of a hostile work environment. All other issues which were decided by the district court and are not raised on appeal are considered waived. *See State Farm Fire & Cas. Co. v. Mhoon*, 31 F.3d 979, 984 n.7 (10th Cir. 1994).

After careful review of the entire record on appeal in light of appellant's arguments and the applicable legal standards, we conclude that the district court correctly decided this case. Therefore, for substantially the same reasons contained in the district court's thorough Memorandum and Order dated

July 11, 2000, the judgment of the United States District Court for the District of Kansas is AFFIRMED.

Entered for the Court

Paul J. Kelly, Jr.  
Circuit Judge