

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

MAY 11 1998

PATRICK FISHER
Clerk

TINA YERBY,

Plaintiff-Appellant,

v.

WAL-MART STORES, INC.,
a Delaware corporation; MIKE
EBERT, an individual,

Defendants-Appellees.

No. 97-7113
(D.C. No. 96-CV-639-B)
(E.D. Okla.)

ORDER AND JUDGMENT*

Before **PORFILIO**, **BARRETT**, and **HENRY**, Circuit Judges.

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); 10th Cir. R. 34.1.9. The case is therefore ordered submitted without oral argument.

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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.

Plaintiff Tina Yerby, appearing pro se, appeals the district court's grant of summary judgment in favor of defendants on her claim for violation of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12101-12213; for retaliatory discharge in violation of Title VII of the Civil Rights Act, 42 U.S.C. § 1981; and her state law workers' compensation retaliatory discharge claim.

We have carefully reviewed the parties' briefs on appeal, the district court's order, and the entire record before this court. Based upon that review, we conclude that the district court committed no reversible error and AFFIRM for substantially those reasons set forth by the district court.

The judgment of the United States District Court for the Eastern District of Oklahoma is AFFIRMED.

Entered for the Court

John C. Porfilio
Circuit Judge