

UNPUBLISHED

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

JACKSON ESSIM, <i>Plaintiff-Appellant,</i> v. SEARS ROEBUCK AND COMPANY, <i>Defendant-Appellee.</i>	}
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No. 01-2246

Appeal from the United States District Court  
for the Eastern District of Virginia, at Alexandria.  
James C. Cacheris, Senior District Judge.  
(CA-00-2048-A)

Submitted: March 7, 2002

Decided: March 28, 2002

Before WIDENER, MICHAEL, and MOTZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

David Paul Murphy, KOORITZKY & ASSOCIATES, Arlington, Virginia, for Appellant. Charles B. Wayne, Elisha A. King, PIPER, MARBURY, RUDNICK & WOLFE, L.L.P., Washington, D.C., for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

**OPINION**

## PER CURIAM:

Jackson Essim appeals from the district court's order granting summary judgment in favor of Sears Roebuck & Co. on his discrimination claims filed under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A. §§ 2000e to 2000e-17 (West 1994 & Supp. 2001), and 42 U.S.C.A. § 1981 (West Supp. 2001); and his state law intentional infliction of emotional distress claim. We affirm.

We have reviewed the parties' briefs, the joint appendix, and the district court's order. The court properly found that Essim failed to establish a hostile work environment claim. *See Causey v. Balog*, 162 F.3d 795, 804 (4th Cir. 1998). The district court also properly analyzed his retaliation claim under the burden-shifting framework in *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973), and determined that Essim failed to show the legitimate, nondiscriminatory reasons Sears offered for terminating him were pretextual. *See Reeves v. Sanderson Plumbing Prods., Inc.*, 530 U.S. 133, 137-39 (2000). Furthermore, we find no error in the district court's ruling on Essim's intentional infliction of emotional distress claim. Accordingly, we affirm on the reasoning of the district court. *Essim v. Sears Roebuck & Co.*, No. CA-00-2048-A (E.D. Va. Sept. 20, 2001). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

*AFFIRMED*