

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 10-1103

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Harry R. Fowler,

Appellant,

v.

Werner Enterprises,

Appellee.

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Appeal from the United States  
District Court for the  
District of Nebraska.

[UNPUBLISHED]

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Submitted: June 10, 2010

Filed: June 21, 2010

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Before LOKEN, BYE, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Harry Fowler appeals the district court's<sup>1</sup> adverse grant of summary judgment in his action alleging discrimination and retaliation under the Americans with Disabilities Act. After careful de novo review of the record, see Johnson v. Blaukat, 453 F.3d 1108, 1112 (8th Cir. 2006), we conclude that there is no genuine issue of material fact to support Fowler's claim that his employer, Werner Enterprises, regarded him as having a disability or that it retaliated against him for filing discrimination charges. We also reject as meritless Fowler's arguments concerning

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<sup>1</sup>The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska.

venue, his pro se status in this matter, and the grant of summary judgment without a hearing. Accordingly, we affirm. See 8th Cir. R. 47B.

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