

September 20, 2012

UNITED STATES COURT OF APPEALS

Elisabeth A. Shumaker  
Clerk of Court

TENTH CIRCUIT

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THERESA L. DOWLING,

Plaintiff–Appellant,

v.

STURGEON ELECTRIC; WILLIAM  
LONG; WILLIAM FREDRICKS,

Defendants–Appellees.

No. 11-1554

(D.C. No. 1:10-CV-01118-REB-KMT)

(D. Colorado)

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**ORDER AND JUDGMENT**\*

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Before **BRISCOE**, Chief Judge, **McKAY** and **HOLMES**, Circuit Judges.

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

Plaintiff Theresa Dowling, proceeding pro se, appeals the district court’s grant of summary judgment for the Defendants on her claims under Title VII of the Civil Rights Act of 1964. The magistrate judge recommended granting summary judgment because

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\* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

Plaintiff could not satisfy her burden of establishing a prima facie case for her gender discrimination, retaliation, and hostile work environment claims. The district court agreed. It appears Plaintiff also argues that the district court erred by denying her motion to extend the deadline for discovery and her motions for post-judgment relief.

Plaintiff's appeal is based largely on allegations of fraud on the part of defense counsel and bias on the part of the district court and magistrate judge. After a thorough review of the appellate record, we have found no evidence to support these allegations. Furthermore, nothing in Plaintiff's brief or the appellate record persuades us there was any error in the magistrate judge's analysis or the district court's orders. Therefore, for substantially the same reasons given by the magistrate judge and the district court, we **AFFIRM** the grant of summary judgment on Plaintiff's Title VII claims and the denial of her motion to extend the deadline for discovery and her motions for post-judgment relief. Plaintiff's motion to proceed *in forma pauperis* on appeal is **GRANTED**. Plaintiff is reminded of her obligation to continue making partial payments until her entire filing fee has been paid in full.

Entered for the Court

Monroe G. McKay  
Circuit Judge