

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 12-15546
Non-Argument Calendar

Docket No. 4:10-cv-00308-JRH-GRS

DEATIA J. MCFARLIN,

Plaintiff-Appellant,

versus

STATE BOARD OF TECHNICAL
AND ADULT EDUCATION,
TECHNICAL COLLEGE SYSTEM OF GEORGIA,
et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Georgia

(August 6, 2013)

Before WILSON, ANDERSON, and EDMONDSON, Circuit Judges.

PER CURIAM:

Deatia McFarlin, an instructor at the Savannah Technical College, appeals from the district court's grant of summary judgment in favor of defendants in her employment suit under 42 U.S.C. § 2000e-2(a)(1) and 42 U.S.C. § 1983. The appeal presents this issue:

Whether the district court erred in granting summary judgment against McFarlin on her race discrimination claims challenging her (a) placement on disciplinary leave; and (b) termination of employment.

The case was decided under the familiar *McDonnell Douglas* framework. McFarlin failed to establish a *prima facie* case that her placement on "leave" was based on racial discrimination, as she failed to show sufficiently that similarly situated employees were treated more favorably than she. Even if she had established a *prima facie* case, McFarlin did not carry her burden to show sufficiently that the proffered nondiscriminatory reasons for her placement on leave, including her perceived insubordination, were mere pretexts. Even if McFarlin established a *prima facie* case that her termination was discriminatory, she did not show sufficiently that the proffered reasons for her termination,

specifically the receipt of several student complaints and her perceived unwillingness to improve, were pretextual.

The courts do not decide about the wisdom of the employer's decisions. And an employer's own perception of events is important. Therefore, the district court, given the evidence in this record and lack of evidence, did not err in granting summary judgment in favor of defendants.

AFFIRMED.