

United States Court of Appeals  
Fifth Circuit

**FILED**

June 22, 2007

Charles R. Fulbruge III  
Clerk

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-60448  
Summary Calendar

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LARRY L. JONES,

Plaintiff-Appellant,

versus

GEORGE COUNTY SCHOOL DISTRICT,

Defendant-Appellee.

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On Appeal from the United States District Court  
for the Southern District of Mississippi  
No. 1:03-CV-861

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Before JONES, Chief Judge, and HIGGINBOTHAM and SMITH, Circuit Judges.

PER CURIAM:\*

Larry L. Jones appeals the jury verdict in favor of George County School District in this Title VII racial discrimination case. Although he never moved for judgment as a matter of law, either before or after the jury verdict, Jones contends that this court should review the sufficiency of the evidence. See FED. R. CIV. P. 50. However, the Supreme Court has held that this court cannot review the sufficiency of the evidence unless a Rule 50 motion is made both before and after the trial.

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

See Unitherm Food Systems, Inc. v. Swift-Eckrich, Inc., 546 U.S. 394, --,126 S. Ct. 980, 989 (2006); see also Hodges v. Mack Trucks, Inc., 474 F.3d 188, 195 (5th Cir. 2006). Accordingly, Jones's failure to present a post-verdict Rule 50(b) motion precludes appellate review of the sufficiency of the evidence.

**AFFIRMED.**