

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

File Name: 08a0362n.06

Filed: June 23, 2008

No. 07-1603

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

JENNIFER DIEPENHORST,)	
)	ON APPEAL FROM THE UNITED
Plaintiff-Appellant,)	STATES DISTRICT COURT FOR THE
)	WESTERN DISTRICT OF MICHIGAN
v.)	
)	
CITY OF BATTLE CREEK, et al.)	
)	
Defendants-Appellees.)	
)	
)	
)	

Before: NORRIS, BATCHELDER, and GIBBONS, Circuit Judges.

JULIA SMITH GIBBONS, Circuit Judge. Plaintiff-appellant Jennifer Diepenhorst, a former employee of the Battle Creek Police Department, sued defendants-appellees City of Battle Creek and Sergeant Bruce Penning, an officer in the Department, asserting federal and state employment discrimination claims. The district court granted defendants' motion for summary judgment. On appeal, Diepenhorst argues that her Title VII claim is not time barred because she timely filed a charge with the Equal Employment Opportunity Commission within the required 300-day period. She also contends that factual issues exist with respect to her Elliot-Larsen Civil Rights Act claims for sexual harassment and hostile work environment.

Having reviewed the parties' briefs and the applicable law and having had the benefit of oral argument, we conclude that a panel opinion further addressing the issues raised would serve no

jurisprudential purpose. Therefore, on the grounds identified by the district court, we affirm the district court's judgment in favor of the City of Battle Creek and Sergeant Bruce Penning.