

NOT RECOMMENDED FOR FULL TEXT PUBLICATION

File Name: 08a0216n.06

Filed: April 23, 2008

No. 07-4101

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUITDIANA CARTER,
*Plaintiff, Appellant*On Appeal from the United States District
Court for the Northern District of Ohio

v.

FIRST ENERGY NUCLEAR OPERATING COMPANY,
Defendant, Appellee

BEFORE: KENNEDY, MARTIN, Circuit Judges, and HOOD, District Judge.*

PER CURIAM. Plaintiff-Appellant Diana Carter appeals the district court's grant of summary judgment to Defendant-Appellee First Energy Nuclear Operating Company on her claims of failure to reasonably accommodate her alleged disability under the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12001, et seq., and the Ohio Civil Rights Act ("OCRA"), Revised Code Chapter 4112, and her claim of retaliation under the Family and Medical Leave Act ("FMLA"), 29 U.S.C. § 2601, et seq. Plaintiff alleges that Defendant failed to reasonably accommodate her claimed disability and retaliated against her by placing her on short-term medical leave with full pay and benefits, rather than continuing the accommodation of her choosing. The district court granted summary judgment to Defendant because Plaintiff could not establish that she had suffered an adverse employment action, a required element of both her

*The Honorable Joseph M. Hood, Senior United States District Judge for the Eastern District of Kentucky, sitting by designation.

discrimination and retaliation claims, and Defendant reasonably accommodated Plaintiff's claimed disability by placing her on paid short-term leave.

We have carefully read the parties' briefs, the applicable law, and the district court's opinion, and we agree no genuine issues of material fact exist and Defendant is entitled to judgment as a matter of law on each of Plaintiff's claims. Because the district court's decision is well-reasoned, we see no reason to embellish upon its opinion. Therefore, we **AFFIRM** the district court's grant of summary judgment to Defendant on Plaintiff's ADA, OCRA, and FMLA claims for the reasons stated in the district court's opinion.