

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-1425

Ira J. Gibson,

Appellant,

v.

Millcreek of Arkansas,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: September 9, 2011

Filed: October 20, 2011

Before MURPHY, ARNOLD, and BENTON, Circuit Judges.

PER CURIAM.

Ira J. Gibson appeals the district court's¹ adverse grant of summary judgment in her employment-discrimination action against her former employer, Millcreek of Arkansas. After careful de novo review, *see Johnson v. Blaukat*, 453 F.3d 1108, 1112 (8th Cir. 2006), this court agrees with the district court that summary judgment was proper. The undisputed evidence shows that Gibson, a teacher, was terminated for failing to obtain required certification; that she was not similarly situated to several other teachers who had received extensions of time to obtain certification; and that

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas.

there were no openings for the new position that she sought. This court also agrees with the district court that Gibson did not make a viable 42 U.S.C. § 1983 claim.

The district court is affirmed. *See* 8th Cir. R. 47B.
