

United States Court of Appeals
For the Eighth Circuit

No. 13-3282

Cornelius P. Brown

Plaintiff - Appellant

v.

Union Pacific Railroad

Defendant - Appellee

Appeal from United States District Court
for the Eastern District of Arkansas - Little Rock

Submitted: June 9, 2014

Filed: June 13, 2014

[Unpublished]

Before GRUENDER, BOWMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

Cornelius Brown appeals the district court's¹ adverse grant of summary judgment on his Title VII race-discrimination claims against his former employer,

¹The Honorable Billy Roy Wilson, United States District Judge for the Eastern District of Arkansas.

Union Pacific Railroad (UPR), which terminated him in May 2011. After careful review, we agree with the district court that UPR presented a legitimate, nondiscriminatory reason for terminating Brown--his failure of drug tests, in violation of company policy--and that he did not present any admissible evidence creating a genuine issue as to whether UPR's stated reason was merely a pretext for unlawful discrimination. *See Twymon v. Wells Fargo & Co.*, 462 F.3d 925, 935 (8th Cir. 2006) (this court has consistently held that violating company policy is legitimate, nondiscriminatory rationale for terminating employee); *see also Green v. Dormire*, 691 F.3d 917, 921 (8th Cir. 2012) (grant of summary judgment is reviewed de novo). We also agree with the district court's analysis and conclusions regarding Brown's allegations that he was denied training and promotions because of his race.

We thus affirm. *See* 8th Cir. R. 47B.
