

United States Court of Appeals
For the Eighth Circuit

No. 15-1901

Sharon L. Meeks

Plaintiff - Appellant

v.

Arkansas Department of Health and Human Services

Defendant - Appellee

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

Submitted: November 5, 2015

Filed: November 9, 2015

[Unpublished]

Before WOLLMAN, BYE, and GRUENDER, Circuit Judges.

PER CURIAM.

Sharon Meeks appeals the district court's¹ adverse grant of summary judgment in her Title VII employment discrimination action against the Arkansas Department

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

of Health and Human Services (DHHS). Having carefully reviewed the record and the parties' arguments on appeal, we conclude that summary judgment was properly granted. *See Jain v. CVS Pharmacy, Inc.*, 779 F.3d 753, 759 (8th Cir. 2015) (grant of summary judgment is reviewed de novo). As to Meeks's failure-to-promote and failure-to-reinstate discrimination claims, we agree with the district court that she failed to exhaust her administrative remedies. *See Parisi v. Boeing Co.*, 400 F.3d 583, 585-86 (8th Cir. 2005) (dismissal of claim for lack of exhaustion is reviewed de novo; discussing exhaustion requirement as applied to distinct claims). As to her discriminatory discharge claim, we conclude that there was insufficient evidence to support a reasonable inference that DHHS's proffered non-discriminatory explanation for her termination was a pretext for racial discrimination. *See McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973) (burden-shifting analytical framework); *Twymon v. Wells Fargo & Co.*, 462 F.3d 925, 935 (8th Cir. 2006) (to prove pretext, plaintiff must both discredit asserted reason for termination and show that circumstances permit drawing reasonable inference that real reason for termination was unlawful discrimination).

Accordingly, we affirm. *See* 8th Cir. R. 47B.
