

# MANDATE

CTDC/nhet  
00-cv-1801  
Dorsey  
Rep

1 UNITED STATES COURT OF APPEALS  
2 FOR THE SECOND CIRCUIT

FILED  
2005 APR -7 P 1:18

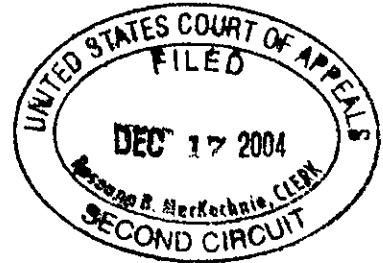
3 SUMMARY ORDER

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

4 THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL  
5 REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY  
6 TO THIS OR ANY OTHER COURT, BUT MAY BE CALLED TO THE  
7 ATTENTION OF THIS OR ANY OTHER COURT IN A SUBSEQUENT  
8 STAGE OF THIS CASE, IN A RELATED CASE, OR IN ANY CASE FOR  
9 PURPOSES OF COLLATERAL ESTOPPEL OR RES JUDICATA.

10 At a stated term of the United States Court of  
11 Appeals for the Second Circuit, held at the Thurgood  
12 Marshall United States Courthouse, Foley Square, in the  
13 City of New York, on the 17 day of Dec., two  
14 thousand four.

15 PRESENT: HON. RICHARD J. CARDAMONE,  
16 HON. DENNIS JACOBS,  
17 HON. JOSÉ A. CABRANES,  
18 Circuit Judges.



19 - - - - -X  
20 George E. Kincade,

21 Plaintiff-Appellant,

22 -v.-

04-0090

23 John W. Snow, Secretary of the  
24 Treasury of the United States,

25 Defendant-Appellee.

26 - - - - -X  
27 APPEARING FOR APPELLANT: Norman A. Pattis, New Haven,  
28 CT

29  
30 APPEARING FOR APPELLEE: Lauren M. Nash, Assistant  
31 United States Attorney,  
32 District of Connecticut (Kevin

ISSUED AS MANDATE: 3-21-05 -

J. O'Connor, United States  
Attorney for the District of  
Connecticut, Jeffrey A. Meyer,  
Assistant United States  
Attorney, District of  
Connecticut, of Counsel)

Appeal from the United States District Court for the  
District of Connecticut (Dorsey, J.).

UPON DUE CONSIDERATION, IT IS HEREBY ORDERED,  
ADJUDGED AND DECREED that the judgment of the district  
court be AFFIRMED.

George E. Kincade appeals from a November 19, 2003  
order of the United States District Court for the  
District of Connecticut (Dorsey, J.), dismissing  
Kincade's racial discrimination, retaliation, and hostile  
work environment claims on summary judgment. We assume  
that the parties are familiar with the facts, the  
procedural history, and the scope of the issues presented  
on appeal.

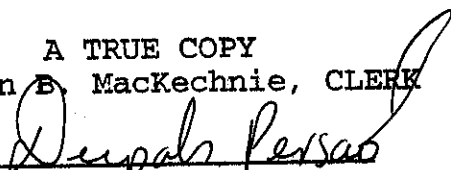
On this appeal, Kincade argues that the district  
court erred in dismissing his discrimination,  
retaliation, and hostile work environment claims, and in  
ruling that the "continuing violation" doctrine did not  
preserve Kincade's related, but time-barred claims. We  
affirm for substantially the same reasons stated by the  
district court.

For the reasons set forth above, the judgment of the  
district court is hereby AFFIRMED.

FOR THE COURT:  
ROSEANN B. MACKECHNIE, CLERK  
By:

  
\_\_\_\_\_  
Lucille Carr, Deputy Clerk

A TRUE COPY  
Roseann B. MacKechnie, CLERK

by   
DEPUTY CLERK