

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 04-1737

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Phyllis E. Toston,	*
	*
Appellant,	*
	* Appeal from the United States
v.	* District Court for the
	* Eastern District of Missouri.
Missouri Division of Employment	*
Security,	* [UNPUBLISHED]
	*
Appellee.	*

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Submitted: February 4, 2005  
Filed: February 7, 2005

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Before BYE, RILEY, and COLLOTON, Circuit Judges.

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PER CURIAM.

Phyllis Toston appeals the district court's<sup>1</sup> adverse grant of summary judgment in this Title VII action Toston brought against her former employer, the Missouri Division of Employment Security. Following careful review, we agree with the district court that Toston presented nothing in support of her bare allegation that her employer's legitimate reason for terminating her--poor performance--was a pretext for race discrimination, see Riggs v. Kansas City Mo. Pub. Sch. Dist., 385 F.3d 1164,

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<sup>1</sup>The Honorable Henry E. Autrey, United States District Judge for the Eastern District of Missouri.

1166 (8th Cir. 2004), or retaliation, see Griffith v. City of Des Moines, 387 F.3d 733, 738 (8th Cir. 2004). In addition, to the extent she pleaded a hostile-work-environment claim, Toston failed to show harassment pervasive or severe enough to affect a term, condition, or privilege of her employment. See id. at 739. Accordingly, we affirm. See 8th Cir. R. 47B.

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