

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

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No. 04-1813

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John Reed,

Appellant,

v.

Home Depot USA, Inc., a Delaware  
corporation,

Appellee.

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\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota.  
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\* [UNPUBLISHED]  
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Submitted: December 7, 2004  
Filed: December 10, 2004

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Before MORRIS SHEPPARD ARNOLD, BYE and RILEY, Circuit Judges.

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PER CURIAM.

John Reed appeals the district court's<sup>1</sup> adverse grant of summary judgment in his Title VII employment-discrimination action against Home Depot, U.S.A., Inc. (Home Depot). Reed, an African American, alleged Home Depot failed to promote him based on his race.

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<sup>1</sup>The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota.

Upon de novo review, we agree with the district court that Reed failed to establish a prima facie failure-to-promote case. Among other things, he adduced no evidence that he had registered his interest for the promotions at issue in the computer-based Job Performance Program, as was required to be considered for those promotions. See Younts v. Fremont County, Iowa., 370 F.3d 748, 754 (8th Cir. 2004) (elements of prima facie case of failure to promote); Wheeler v. Aventis Pharm., 360 F.3d 853, 857 (8th Cir. 2004) (standard of review). Also, we reject Reed's suggestions on appeal concerning judicial bias. Finally, we decline to consider Reed's challenge to a magistrate judge's<sup>2</sup> denial of leave to amend to add new claims. See Fed. R. Civ. P. 72(a).

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

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<sup>2</sup>The Honorable Arthur J. Boylan, United States Magistrate Judge for the District of Minnesota.