

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

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No. 05-1536

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Cleotis Jamerson,	*
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Appellant,	*
	* Appeal from the United States
v.	* District Court for the
	* Western District of Arkansas.
Rental Management, Inc.,	*
	* [UNPUBLISHED]
Appellee.	*

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Submitted: March 7, 2006  
Filed: March 13, 2006

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Before RILEY, MAGILL, and GRUENDER, Circuit Judges.

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PER CURIAM.

Cleothis<sup>1</sup> Jamerson appeals the district court's<sup>2</sup> adverse grant of summary judgment in his Title VII employment-discrimination suit. The sole issue on appeal is whether Jamerson was an employee of defendant Rental Management, Inc. or an independent contractor, for purposes of Title VII protection. See Schwieger v. Farm Bureau Ins. Co. of Neb., 207 F.3d 480, 483 (8th Cir. 2000) (Title VII protects only

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<sup>1</sup>A review of the record indicates appellant's first name is "Cleothis."

<sup>2</sup>The Honorable Harry F. Barnes, United States District Judge for the Western District of Arkansas.

employees). Upon de novo review, see Jenkins v. S. Farm Bureau Cas., 307 F.3d 741, 743 (8th Cir. 2002), we agree with the district court that the undisputed facts show that Jamerson was an independent contractor. See Nationwide Mut. Ins. Co. v. Darden, 503 U.S. 318, 324 (1992) (enumerating factors courts consider in determining employment status); Lerohl v. Friends of Minn. Sinfonia, 322 F.3d 486, 488 (8th Cir. 2003) (employment status is question of law); Schwieger v. Farm Bureau Ins. Co. of Neb., 207 F.3d 480, 483 (8th Cir. 2000) (discussing Darden factors). Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

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