

FILED
United States Court of Appeals
Tenth Circuit

MAY 22 1990

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

ROBERT L. HOECKER
Clerk

DAVID A. JOHNSON,)
)
Plaintiff-Appellant,)
)
v.)
)
CITY OF WICHITA, GENE DENTON, ROBERT)
FINCH, JOHN WYNKOOP, and ROBERT BROWN,)
TONY CASADO, ROBERT KNIGHT, ALBERT KIRK,)
and MARGALEE WRIGHT, members of the)
Wichita City Commission, SAM ROTHE,)
Employee Relations Officer, CAPTAIN MIKE)
HILL, Head of the Wichita Police Depart-)
ment Special Investigations Section,)
and All other Persons succeeding to or)
acting in the offices of official)
capacity of the above named and their)
agents, subordinates and employees,)
WALTER TROMBOLD, MERLYN HATCHER, WILLA)
WULZ and EDWARD FRANCIS, members of the)
Termination Committee,)
)
Defendants-Appellees.)

No. 89-3260
(D.C. No. 85-1994-K)
(D. Kan.)

ORDER AND JUDGMENT*

Before MCKAY, ANDERSON, and TACHA, Circuit Judges.

After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1.9. The case is therefore ordered submitted without oral argument.

* This order and judgment has no precedential value and shall not be cited, or used by any court within the Tenth Circuit, except for purposes of establishing the doctrines of the law of the case, res judicata, or collateral estoppel. 10th Cir. R. 36.3.

This appeal is from an order of the district court granting summary judgment in favor of defendants in a case alleging that the city and various city officials violated plaintiff's constitutional rights when he was terminated from his position as Chief Engineer of the Wichita Water Department. The plaintiff alleges on appeal that the district court erred in holding that plaintiff was afforded due process in the various hearings and hearing opportunities that were afforded to him and in holding that plaintiff was given an adequate name-clearing hearing before an impartial tribunal. See Powell v. Mikulecky, 891 F.2d 1454 (10th Cir. 1989). We agree with the district court that under the circumstances of this case plaintiff has not been deprived of any constitutional rights and affirm for substantially the reasons given by the district court. The mandate shall issue forthwith.

ENTERED FOR THE COURT

Deanell Reece Tacha
Circuit Judge