

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 05-12115

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MAY 1, 2006 THOMAS K. KAHN CLERK
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D. C. Docket No. 02-00019-CV-JTC-3

CHRISTY WASHINGTON,
BRANDI SALAZAR, et al.,

Plaintiffs-Appellants,

versus

RONNIE WILLIAMS, in his individual
capacity and in his official capacity as
Chief of Police of the City of Newnan,
COLLEEN HAYES, in her individual
capacity and in her capacity as the
Director of Human Resources for the
City of Newnan, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Georgia

(May 1, 2006)

Before ANDERSON and DUBINA, Circuit Judges, and ALBRITTON*, District
Judge.

*Honorable William H. Albritton, III, United States District Judge for the Middle District of
Alabama, sitting by designation.

PER CURIAM:

After oral argument and careful review of the relevant parts of the record, we conclude that the judgment of the district court is due to be affirmed. We note that appellants have all settled with Chief Williams, thus leaving at issue on appeal only the appellants' hostile environment claim against the City, and plaintiff Washington's Georgia RICO claim against Hayes. With respect to the former, the district court concluded that neither the City Manager, Bolin, nor Hayes, the Human Resources Director, was a policymaker, and that the only policymaker was the City Council itself. That finding is not challenged on appeal. With respect to the City Council, we conclude that there is simply no evidence that any member of City Council was aware of a hostile environment, and that the district court properly entered summary judgment in favor of the City.

We also conclude the district court properly granted summary judgment in favor of Hayes with respect to plaintiff Washington's Georgia RICO claim. In this regard, we note that plaintiff Washington abandoned in the district court her conspiracy claim against Hayes and Chief Williams, and pursues this RICO claim only against Hayes. The district court concluded that plaintiff Washington had failed to adduce evidence to create a genuine issue of fact with respect to the "direct injury" requirement of the Georgia law. Our review of the record persuades

us that the district court was correct.

Accordingly, the judgment of the district court is

AFFIRMED.