

[NOT FOR PUBLICATION-NOT TO BE CITED AS PRECEDENT]

United States Court of Appeals For the First Circuit

No. 01-1135

DANNY M. KELLY,
Plaintiff, Appellant,

v.

NORTEL NETWORKS CORPORATION,

Defendant, Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

[Hon. Douglas P. Woodlock, U.S. District Judge]

Before

Boudin, Chief Judge,
Torruella and Selya, Circuit Judges.

Danny M. Kelly on brief pro se.
John D. Hanify, Matthew T. Connolly and Hanify & King, P.C.
on brief for appellee.

September 13, 2001

Per Curiam. Upon de novo review, we affirm the summary judgment dismissing plaintiff's complaint substantially for the reasons stated in the district court's order of dismissal. The district court did not abuse its discretion in denying plaintiff's alternative request for leave to amend the complaint since the proposed amendment was frivolous (and, in all events, would have been futile).

Affirmed.