

May 17, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 04-30731

DAVID FRAZIER, etc.; ET AL.,

Plaintiffs,

LAKENDRA WILLIAMS, as natural tutrix,
on behalf of Carisma Williams,

Plaintiff - Appellee,

versus

CITY OF BOSSIER; ET AL.,

Defendants,

CITY OF BOSSIER; LANCE KIRK ZANER,
individually and as an employee of
the City of Bossier,

Defendants - Appellants.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:02-CV-698-SMH-RSP

Before JOLLY, SMITH and DeMOSS, Circuit Judges.

PER CURIAM:*

We have reviewed the record, carefully read the briefs, and have heard excellent arguments from both parties. While the qualified immunity issue in this case is very close, we have determined that the district court did not err in concluding that

* Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

there are material issues of disputed fact that are best decided in the course of a trial. We therefore lack jurisdiction over this interlocutory appeal. See Roberts v. City of Shreveport, 397 F.3d 287, 290 (5th Cir. 2005). We also lack jurisdiction over the interlocutory appeal of the City of Bossier. See id. at 291. Accordingly this appeal is DISMISSED.