

October 4, 2004

Charles R. Fulbruge III
Clerk

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 03-60969

SELENA BUCKMAN; GLENN BUCKMAN; COLLEEN JOHNSON; FREDERICK SMITH;
BARBARA SMITH; DAWN GEESLIN; CHARLENE BANKS; ANNIE BURNS; ROY
ROBINSON; ROSIE TURNER

Plaintiffs-Appellees,

v.

NORWEST FINANCIAL OF MISSISSIPPI, INC.; et al

Defendants

WELLS FARGO FINANCIAL OF MISSISSIPPI INC.; CENTURION LIFE
INSURANCE COMPANY

Defendants-Appellants.

Appeal from the United States District Court
For the Southern District of Mississippi, Jackson Division

(99-CV-181-BR)

Before REAVLEY, JONES, and DENNIS, Circuit Judges.

PER CURIAM:*

Defendants-Appellants bring this appeal of a district court's
order remanding this case to the state court from which it was

*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this opinion should not be published and is not precedent except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.

removed. Alternatively, Defendants-Appellants petition this court for a writ of mandamus to correct what they contend is an erroneous remand order. "An order remanding a case to the State court from which it was removed is not reviewable on appeal or otherwise." See 28 U.S.C. 1447(d); In re Excel Corp., 1997 U.S. App. LEXIS 12792 (5th Cir. 1997). Therefore, because the district court's remand order was based on a defect in the removal procedure, *i.e.*, the untimeliness of removal, we lack jurisdiction to hear Defendants-Appellants' appeal or to grant the mandamus petition. Accordingly, the appeal is dismissed for want of jurisdiction and the petition for mandamus is denied.