

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 00-31410  
Summary Calendar

---

WILBERT EDMOND, JR.,

Plaintiff-Appellant,

versus

BARON KAYLO; RUSSELL DESSELL;  
PACHETO, DR.,

Defendants-Appellees.

-----  
Appeal from the United States District Court  
for the Western District of Louisiana  
(00-CV-1242)  
-----

July 30, 2001

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Plaintiff-Appellant Wilbert Edmond, Jr., Louisiana state prisoner # 97367, appeals from the district court's denial of his request for a temporary restraining order (TRO) and sanctions. If necessary, we must examine the basis of our jurisdiction sua sponte. Mosley v. Cozby, 813 F.2d 659, 660 (5th Cir. 1987). Federal appellate courts have jurisdiction over appeals only from (1) final orders, 28 U.S.C. § 1291; (2) interlocutory orders falling within specific classes, 28 U.S.C. § 1292(a); (3) orders that are deemed final due to jurisprudential exception; or (4)

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5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

orders that have been properly certified as final pursuant to FED. R. Civ. P. 54(b) or that have been properly certified for appeal by the district court, pursuant to 28 U.S.C. § 1292(b). See Dardar v. Lafourche Realty Co., Inc., 849 F.2d 955, 957 (5th Cir. 1988); Save the Bay, Inc. v. United States Army, 639 F.2d 1100, 1102 (5th Cir. 1981). As a denial of an application for a TRO is not covered by any of the foregoing categories, it is not an appealable order. Matter of Lieb, 915 F.2d 180, 183 (5th Cir. 1990); Faulder v. Johnson, 178 F.3d 741, 742 (5th Cir.), cert. denied, 527 U.S. 1018 (1999).

For lack of appellate jurisdiction, Edmond's appeal from the denial of his motion for a TRO and sanctions is  
DISMISSED.