

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-60038
Conference Calendar

GEORGE T. CALLICUTT,

Plaintiff-Appellant,

versus

JAMES ANDERSON; FRED CHILDS; I. A. GILMORE;
TONY COMPTON; TERRY HOLLOWAY; NATHANIEL
CANNON; JAMES HOLMAN; NORS KENNEDY, Captain;
CALVIN PHIPPS, Captain; EARNEST LEE;
LETHA NATHAN, Captain,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:00-CV-46-LN

August 21, 2001

Before KING, Chief Judge, and POLITZ and PARKER, Circuit Judges.

PER CURIAM:*

George T. Callicutt, Mississippi prisoner no. 84125, seeks monetary and injunctive relief in an action brought under 42 U.S.C. § 1983 concerning conditions of his incarceration. Callicutt has filed a notice of interlocutory appeal from the district court's refusal to reconsider its denial of his motion for summary judgment. The district court's order is not a final judgment under Fed. R. Civ. P. 54 or 28 U.S.C. § 1291. It is not

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

an appealable interlocutory order under 28 U.S.C. § 1292(a), and the district court did not certify its order as appealable under 28 U.S.C. § 1292(b). This court lacks jurisdiction to consider the appeal.

The appeal is DISMISSED. Fed. R. App. P. 34(a)(2)(A); 5th Cir. R. 42.2.