

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-20408

Summary Calendar

Joseph Scionti, et al.

Plaintiffs-Appellees,

versus

Mark S. Dornfried, pro se

Defendant-Appellant.

Appeal from the United States District Court
For the Southern District of Texas
(H-95-CV-5493)

February 11, 1998

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

Dornfried appeals the district court's order denying his motion to dissolve injunction. This court has jurisdiction under 28 U.S.C. § 1292(a)(1). We review the district court's ruling for abuse of discretion. Elgin Nat. Watch Co. v. Barrett, 213 F.2d 776, 780 (5th Cir. 1954). The district court properly denied Dornfried's request for dissolution of the preliminary injunction since he failed to present any change in the operative facts or

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

relevant decisional or statutory law warranting such relief. See Ruiz v. Lynaugh, 811 F.2d 856, 860 n.7 (5th Cir. 1987); see also Black Ass'n of New Orleans Fire Fighters v. New Orleans, 853 F.2d 347, 354 (5th Cir. 1988). Dornfried also attacks the preliminary injunction on its merits. We do not have jurisdiction to entertain these arguments since Dornfried did not timely appeal the district court's order issuing the preliminary injunction. Elgin Nat. Watch Co., 213 F.2d at 780; Black Ass'n of New Orleans Fire Fighters, 853 F.2d at 354. The judgment of the district court is AFFIRMED.