

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

February 2, 2012

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No. 11-40203  
\_\_\_\_\_

Lyle W. Cayce  
Clerk

EARVIN LIANG

Plaintiff–Appellee

v.

BZB, INCORPORATED; C. MICHAEL ORR

Defendants–Appellants

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 3:09-CV-233  
\_\_\_\_\_

Before REAVLEY, DAVIS, and PRADO, Circuit Judges.

PER CURIAM:\*

Plaintiff’s purported “notice of stipulated dismissal” did not operate to dismiss defendants’ counterclaim. As a result, the district court’s dismissal order did not resolve all claims of all parties and is not an appealable order. We therefore have no jurisdiction over this appeal and must dismiss the case.

DISMISSED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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