

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

No. 13-40397

United States Court of Appeals
Fifth Circuit

FILED

January 15, 2014

Lyle W. Cayce
Clerk

LANA PUCKETT,

Plaintiff-Appellee

v.

TONYA NELSON,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 5:11-CV-160

Before JONES, WIENER, and GRAVES, Circuit Judges.

PER CURIAM:*

Principal Tonya Nelson appeals the district court's denial of a motion for summary judgment on the basis of qualified immunity in a case involving multiple claims related to the molestation of a minor child by a teacher in the Clarksville Independent School District. Based upon the record and briefs before us, there clearly exists a genuine dispute of material fact as to whether there is a causal link between Nelson's conduct and the constitutional violation and whether Nelson's conduct amounted to deliberate indifference. *See*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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Ontiveros v. City of Rosenberg, Tex., 564 F.3d 379 (5th Cir. 2009); *see also* Fed. R. Civ. P. 56(a). Because an appeal of an interlocutory ruling denying qualified immunity on the existence of factual disputes does not present an exception to our lack of jurisdiction to hear appeals of interlocutory rulings, we do not have jurisdiction to hear Nelson’s appeal of the district court’s denial of qualified immunity at this non-final stage of the proceedings. Therefore, we dismiss the appeal for lack of appellate jurisdiction.

DISMISSED.