

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

United States Court of Appeals
Fifth Circuit

FILED

October 22, 2015

Lyle W. Cayce
Clerk

No. 15-40455
Summary Calendar

FLORIDA HARRIS; SYLVESTER HARRIS; FRED M. DAVIS; LESLEY M. FUQUA; LLOYD FUQUA; SYLVIA M. PARKER; JERRY REEVES; KENT W. WELLIN; EARL WRIGHT,

Plaintiffs - Appellees

v.

ANTHONY R. LOWRIE,

Defendant - Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:15-CV-14

Before REAVLEY, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:*

Florida Harris and others pursue this action against several law enforcement officers. Anthony Lowrie, a Polk County Deputy Sheriff is one of these. The district court has denied summary judgment for him and Lowrie brings this interlocutory appeal. This is the only subject of the present appeal.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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The district court denied summary judgment for Lowrie because of a material fact dispute. Lowrie obtained a search warrant that played a part in the tort suit, and plaintiffs say that the warrant was invalid because Lowrie omitted material facts about credibility of the informant, recklessly disregarding the truth and misleading the issuing magistrate.

It is beyond this court's jurisdiction to evaluate the decision of the district court to hold this to be a genuine fact issue.

Appeal DISMISSED.