

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-4931
Conference Calendar

BILLY RAY JENNINGS,

Plaintiff-Appellee,

versus

ROGER TRAHAN and
CITY OF BEAUMONT, TEXAS,

Defendants,

ROGER TRAHAN,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:93-CV-13
- - - - -

(July 20, 1994)

Before POLITZ, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:*

There are disputed material facts relevant to the objective reasonableness of Officer Roger Trahan's actions. Therefore, this Court lacks jurisdiction over Trahan's appeal of the district court's denial of his motion for summary judgment on grounds of qualified immunity. Johnston v. City of Houston, 14 F.3d 1056, 1060 (5th Cir. 1994).

APPEAL DISMISSED.

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.