

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-10835

Summary Calendar

FRANCIS CREEK, WANDA BROWN, FLORENCE
BLAIR, BETTIE A. YOUNG, MARGIE TURNER,
MARGARET PARKER, AND LOIS HANEY,

Plaintiffs-Appellees,

versus

HAGGAR APPAREL CO. AND HAGGAR CORP.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
(7:92-CV-087-K)

(April 17, 1995)

Before GARWOOD, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

We construe the district court's unclear order as remanding for lack of subject-matter jurisdiction. See Soley v. First Nat'l Bank of Commerce, 923 F.2d 406, 409-10 (5th Cir. 1991). Thus, the order is unreviewable and has no preclusive effect on Hagggar's ERISA preemption defense. Id. 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.