

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-30447
Conference Calendar

ROBERT THACKER,

Plaintiff-Appellant,

versus

ALEXANDRIA SOUTHERN AGENCY INC.,

Defendant-Cross Claimant-Appellant,

NATIONAL FLOOD INSURANCE PROGRAM,

Defendant-Cross Claimant-Appellee,

FEDERAL EMERGENCY MANAGEMENT AGENCY,

Cross Defendant-Appellee.

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Appeal from the United States District Court
for the Western District of Louisiana
USDC No. CA-94-1409
- - - - -

December 19, 1995
Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

* Local Rule 47.5.1 provides: "The publication of opinions that 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 Pursuant to that Rule, the court has determined that this opinion should not be published.

Both the plaintiff, Robert Thacker, and the third-party plaintiff, Alexandria Southern Agency, Inc., have filed notices of appeal from an order of the district court granting third-party defendant, Federal Emergency Management Agency's motion for summary judgment, dismissing all claims against it. Rule 54(b), Fed. R. Civ. P., provides that "[w]hen more than one claim for relief is presented in an action, . . . or when multiple parties are involved, the court may direct the entry of a final judgment as to one or more but fewer than all of the claims or parties only upon an express determination that there is no just reason for delay and upon an express direction for the entry of judgment." See Borne v. A & P Boat Rentals No. 4, Inc., 755 F.2d 1131, 1133 (5th Cir. 1985); Thompson v. Betts, 754 F.2d 1243, 1245 (5th Cir. 1985). The district court made neither an express determination nor expressly directed entry of judgment. Accordingly, the appeal must be dismissed for lack of appellate jurisdiction. Id.

APPEAL DISMISSED.