

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20732
Summary Calendar

STEPHEN PAUL SHARP, ET AL.,

Plaintiffs,

STEPHEN PAUL SHARP,

Plaintiff-Appellant,

versus

NOBLE DRILLING CORPORATION, ET AL.,

Defendants,

NOBLE DRILLING CORPORATION; NOBLE DRILLING
(U.S.), INC.; NOBLE DRILLING SERVICES CORPORA-
TION; NOBLE DRILLING (U.S.), INC.; NOBLE DRILL-
ING (WEST AFRICA), INC.,

Defendants-Appellees.

Appeal from the United States District Court
For the Southern District of Texas
(CA H 95-5215)

February 18, 1997

Before POLITZ, Chief Judge, HIGGINBOTHAM and DeMOSS, Circuit Judges.

PER CURIAM:*

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Stephen Paul Sharp appeals the district court's entry of summary judgment in favor of Noble Drilling Corporation and affiliates.¹ Finding the appeal to be interlocutory, we dismiss for lack of appellate jurisdiction.

Sharp filed a complaint against (1) Noble, (2) Conoco, Inc. and affiliates,² and (3) Chevron, Inc. and affiliates.³ Sharp advanced negligence, wrongful death, and survivorship claims against Conoco and Chevron and wrongful death and survivorship actions under the Jones Act against Noble. The district court granted Noble's motion for summary judgment. Subsequently Sharp moved to non-suit Conoco and Chevron, and Conoco filed a motion for summary judgment. The district court denied both motions. Sharp and Chevron then reached a settlement agreement, and Sharp's claims against Conoco are set for trial beginning March 28, 1997.

A district court may attest to finality and thus qualify for appeal a judgment that partially disposes of multiple claims or parties "only upon an express determination that there is no just reason for delay and upon an express direction

¹Noble Drilling (U.S.), Inc.; Noble Drilling Services Corporation; Noble Drilling (West Africa), Inc.

²Conoco International, Inc. and Conoco Energy (Nigeria), Ltd.

³Chevron International Oil Company, Inc. and Chevron International (Nigeria), Ltd.

for the entry of judgment.”⁴ In the case at bar the district court entered summary judgment in favor of Noble but the claims against Conoco remain. Before us, therefore, is a partial disposition of a multiparty action. The judgment contains no Rule 54(b) attestation by the district court. We lack appellate jurisdiction.

APPEAL DISMISSED.

⁴Fed.R.Civ.P. 54(b); see **Bader v. Atlantic Intn’l, Ltd.**, 986 F.2d 912 (5th Cir. 1993).