

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-41309
Summary Calendar

ARMANDO G. HERNANDEZ, ET AL,

Plaintiffs

ROBERT J. BATEMAN,

Plaintiff-Appellant,

versus

WAYNE SCOTT, ET AL,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:98-CV-46
- - - - -

January 29, 1999

Before DAVIS, DUHE', and PARKER, Circuit Judges.

PER CURIAM:*

The district court has not certified for interlocutory appeal its denial of the plaintiffs' motion for certification of the complaint as a class action. Accordingly, we DISMISS the appeal for lack of jurisdiction. 28 U.S.C. §§ 1291, 1292.

APPEAL DISMISSED.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.