

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 99-20392

KIMBERLY DAGLE BIGGS,

Plaintiff-Appellee,

VERSUS

THE CITY OF BAYTOWN; ET AL.,

Defendants,

THE CITY OF BAYTOWN; MARVIN CURRIE, Officer,

Defendants-Appellees,

CHARLES SHAFFER, Chief of Police,

Defendant-Appellant.

Appeal from the United States District Court
For the Southern District of Texas
(H-96-CV-1203)

June 28, 2000

Before REAVLEY, DAVIS and BARKSDALE, Circuit Judges.

PER CURIAM:*

After reviewing the record and based on the briefs and arguments of counsel, we are satisfied that the district court

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

correctly concluded that material issues of fact were presented on Chief Shaffer's qualified immunity defense to Biggs' sex discrimination claim under 42 U.S.C. § 1983. Accordingly, the appeal is dismissed for lack of jurisdiction.

APPEAL DISMISSED.