

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 92-8521

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PAUL DAVID WILLIAMS,

Plaintiff-Appellee,

VERSUS

THE CITY OF LULING, ET AL.,

Defendants,

TRAVIS THOMAS, NIXON RICHTER, III  
and KEITH WILLIAMSON,

Defendants-Appellants.

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Appeal from the United States District Court  
for the Western District of Texas  
(91-CV-15)

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(December 8, 1993)

Before GOLDBERG, JOLLY and BARKSDALE, Circuit Judges.

PER CURIAM:\*

This interlocutory appeal was taken under 28 U.S.C. § 1291 from denial of a qualified immunity defense. We have jurisdiction over such appeals if they involve issues of law only. *E.g.*, ***Mitchell v. Forsyth***, 472 U.S. 511 (1985). Here, there are disputed issues of material fact relevant to the qualified immunity defense; therefore, we lack jurisdiction. *See, e.g.*, ***Lampkin v. City of Nacogdoches***, No. 91-4702, slip op. 1086, 1087, 1090-92 (5th Cir.

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\* Local Rule 47.5.1 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 Pursuant to that rule, the court has determined that this opinion should not be published.

Nov. 18, 1993); *Johnson v. Odom*, 910 F.2d 1273, 1277 (5th Cir. 1990); *Feagley v. Waddell*, 868 F.2d 1437 (5th Cir. 1989). Accordingly, the appeal is

**DISMISSED.**