

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-20433
Conference Calendar

MICHAEL EDDINGS; SHIRLEY EDDINGS,
Plaintiffs-Appellants-Cross-Appellees,

versus

HARRIS COUNTY; ET AL.,
Defendants,

HARRIS COUNTY; JOHNNY KLEVENHAGEN;
TOMMY B. THOMAS,
Defendants-Appellees,

ROCKY BARR,
Defendant-Appellee-Cross-Appellant.

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Appeals from the United States District Court
for the Southern District of Texas
USDC No. H-95-CV-4150
- - - - -

April 16, 1999

Before JONES, SMITH, and DUHÉ, Circuit Judges.

PER CURIAM:*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

On March 5, 1998, the district court entered an order granting the motion for summary judgment filed by Harris County, Johnny Klevenhagen, Tommy B. Thomas, and C.N. Wedemeyer, Jr., and denying in part and granting in part the motion for summary judgment filed by Rocky Barr.

When an action involves multiple parties or multiple claims, any decision that adjudicates the liability of fewer than all the parties or disposes of fewer than all the claims does not terminate the litigation and is not appealable unless certified under Fed. R. Civ. P. 54(b). See Thompson v. Betts, 754 F.2d 1243, 1245 (5th Cir. 1985). The district court has not certified the March 5 order in accordance with Rule 54(b). Accordingly, we are without jurisdiction.

APPEALS DISMISSED.