

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-20186

DOROTHY A. EDWARDS; AFRO-AMERICAN
POLICE OFFICERS LEAGUE; HOUSTON
POLICE ORGANIZATION FOR SPANISH
SPEAKING OFFICERS;; LIONEL AARON;
BENNIE CONWAY; CLEMENT BOYD CROSBY,
JR.; JOSE GARCIA, JR; RICHARD C.
GARCIA; MARIA L. GUILLORY; ANTHONY
R. JAMMER; CHARLES A. MCCLELLAND;
SILAS MONTGOMERY, JR.; CLYDE PHILPOTT;
CARL WAYNE REED; RICHARD M. SPENCER;
BRUCE D. WILLIAMS, individually and
on behalf of all others similarly
situated,

Plaintiffs-Appellees,

v.

CITY OF HOUSTON,

Defendant-Appellee,

v.

WILLIE FIELDS; BENNIE L. GREEN;

Plaintiffs-Appellees,

HOUSTON POLICE PATROLMEN'S
UNION, AND INDIVIDUAL OFFICERS,
HARIL WALPOLE, ET AL., individ-
ually and on behalf of all others
similarly situated;

Third Party Intervenors,

HOUSTON POLICE OFFICERS ASSOCIATION, [Union]; DOUG ELDER; MARK CLARK, individually and as representatives of the general membership of Houston Police Officers Association and all Class A Police Officers Holding the Rank of Police Officer and Sergeant of Police,

Third Party Intervenors and
Movants-Appellants.

Appeal from the United States District Court
for the Southern District of Texas, Houston
(H-92-2510)

May 9, 1997

Before HIGGINBOTHAM, WIENER and DENNIS, Circuit Judges.

PER CURIAM:*

We have reviewed the facts and arguments of counsel as set forth in their respective briefs and have been further informed by the excellent explication of the issues of this appeal by counsel at oral argument. As a result, we are convinced that the instant appeal under 28 U.S.C. § 1292 should be and therefore is dismissed. See Carson v. American Brands, Inc., 450 U.S. 79 (1981); Baltimore Contractors, Inc. v. Bodinger, 348 U.S. 176 (1955).

DISMISSED.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.