

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

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Jodie Peters

No. 05-13107-JJ

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
SEP 30 2005
THOMAS K. KAHN
CLERK

SANDRA J. DAVIS,
VELMA B. DUNCAN, et al.,

Plaintiffs-Appellants,

versus

VALLEY HOSPITALITY SERVICES, LLC,

Defendant-Appellee.

Appeal from the United States District Court for the
Middle District of Georgia

A True Copy - Attested:
Clerk, U.S. Court of Appeals
Eleventh Circuit

By: *Carl News*
Deputy Clerk
Atlanta, Georgia

Before CARNES and MARCUS, Circuit Judges.

BY THE COURT:

This appeal is DISMISSED as to Appellant Davis. The district court's April 25, 2005, order is not final and appealable as to her. See 28 U.S.C. § 1291; Beluga Holding, Ltd. v. Commerce Capital Corp., 212 F.3d 1199, 1202 (11th Cir. 2000); Fed.R.Civ.P. 54(b); Williams v. Bishop, 732 F.2d 885, 886 (11th Cir. 1984); In re Yarn Processing Patent Validity Litig., 680 F.2d 1338, 1340 (11th Cir. 1982). This appeal SHALL PROCEED as to Appellants Duncan, Brown, and Amick, to the extent that the April 25, 2005, order denied them injunctive relief. See Carson v. Am. Brands, Inc., 450 U.S. 79, 83-84, 101 S.Ct. 993, 996-97, 67 L.Ed.2d 59 (1981). To the extent that the April

25, 2005, order did not deny injunctive relief, the appeal as to Duncan, Brown, and Amick is DISMISSED for lack of jurisdiction. See 28 U.S.C. § 1291; Beluga Holding, Ltd., 212 F.3d at 1202; Fed.R.Civ.P. 54(b); Williams, 732 F.2d at 886; In re Yarn Processing Patent Validity Litig., 680 F.2d at 1340.