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No. 95-2048

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IOLA NORENE BULT, Individually  
and as Special Administratrix of  
Estate of CHARLES R. CHENEY,

Appellee,

v.

BEADLE COUNTY, a local  
governmental body; TOM BEERMAN,  
Individually and as Sheriff  
of Beadle County; LORI MEYERS,  
Individually and as Jailer for  
Beadle County; and unknown JOHN  
AND JANE DOES, Individually and  
in their Official Capacities as  
Employees of Beadle County,

Appellants.

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\* Appeal from the United States  
\* District Court for the  
\* District of South Dakota.

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\* [UNPUBLISHED]

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Submitted: November 17, 1995

Filed: December 5, 1995

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Before HANSEN, LAY, and MURPHY, Circuit Judges.

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PER CURIAM.

This is an interlocutory appeal arising out of a wrongful death action brought under 42 U.S.C. § 1983 and state law by appellee, Iola Norene Bult. Her son, Charles R. Cheney, committed suicide while being held at the Beadle County Regional Corrections Center in Huron, South Dakota. Appellants Beadle County, Sheriff Tom Beerman, and jailer Lori Meyers seek reversal of the order of

the district court<sup>1</sup> denying their motion for summary judgment based on qualified immunity and their motion to dismiss defendants Beerman and Beadle County for failure to state a claim.

The district court concluded that the constitutional standard for deliberate indifference regarding liability for jail suicides was clearly established at the time of the suicide and that genuine issues of material fact exist as to whether the officials reasonably would have known that their actions and omissions would have violated that standard.

After studying the record, we conclude the district court made no error of fact or law and that an opinion would lack precedential value. Its order denying summary judgment on the basis of qualified immunity is affirmed. See 8th Cir. R. 47B. The remainder of the appeal is dismissed for lack of jurisdiction. See Johnson v. Jones, 115 S.Ct. 2151 (1995); Swint v. Chambers County Com'n, 115 S.Ct. 1203 (1995).

A true copy.

Attest:

RK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

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<sup>1</sup>The Honorable Lawrence L. Piersol, United States District Judge for the District of South Dakota.